OPTIONS 2000:

A FRAMEWORK FOR MUNICIPAL RENEWAL

SUMMARY OF FINAL REPORTS

TASK FORCE

ON MUNICIPAL LEGISLATIVE RENEWAL

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LETTER OF TRANSMITTAL

August 2000

Honourable Jack Hillson
Minister of Saskatchewan Municipal Affairs,
Culture and Housing

Dear Mr. Hillson:

We are pleased to submit this summary of the two final reports on municipal renewal in Saskatchewan:

- Options 2000: A Framework for Renewal in the Rural and Urban Municipal Sectors
- Options 2000: A Framework for Renewal in the Northern Municipal Sector

We believe that with the submission of these reports we have fulfilled our mandate as outlined in Order in Council 507/1998 dated August 13, 1998.

In keeping with our mandate we have focused our efforts on providing the 'building blocks' rather than the 'blueprints' or plans for municipal renewal. Responsibility for producing the 'blueprints' or plans for renewal rests with provincial and municipal officials and the ratepayers and residents they represent and serve.

We are very pleased with the commitment of the Municipal-Provincial Roundtable, involving representatives of SARM, SUMA and the provincial government, to examine issues, options, and potential directions for renewal in an effort to produce such 'blueprints' or plans. Representatives of northern communities and municipalities have expressed an interest in a comparable roundtable for renewal in the northern municipal sector.

We believe that the majority of people in Saskatchewan expect to see both plans and progress on municipal renewal. It is generally recognized that there is much that needs to be done soon and that it must be done well.

The Task Force reports are but an initial step on the road to municipal renewal in Saskatchewan. Our hope is that these reports will stimulate widespread interest and discussion in Saskatchewan on the following:

- The need for municipal renewal; and
- The nature of municipal renewal.

We sincerely wish you, and all those who cooperate with and assist you in this important renewal initiative, every success.

Respectfully,

The Task Force on Municipal Legislative Renewal

Joseph Garcea (Chair)

Maria Lynn Freeland

Val Kononoff

Murray Westby

Bobby Woods

Cliff Wright

MANDATE OF THE TASK FORCE

The Task Force on Municipal Legislative Renewal was mandated by the provincial government to conduct a review and make recommendations on the need for, and nature of, municipal legislative renewal in Saskatchewan.

The Task Force's mandate as outlined in Order in Council 507/1998 dated August 13, 1998 states:

"It is desirable and in the public interest to establish an advisory committee to be known as the Task Force on Municipal Legislative Renewal, for a period not exceeding two years from the date of this Order, to:

- Consider the role and responsibilities of municipal government in Saskatchewan in the next decade;
- Confirm, or set new directions for the evolution and development of municipal governance;
- Define and clarify the relationship between provincial and municipal governments; and
- Make recommendations for municipal renewal.

In fulfilling its mandate, the Task Force will:

1. Undertake consultations on municipal issues with interested individuals and organizations in the province;
2. Identify existing, emerging and potential obstacles to the goal of appropriate and principled municipal governance in the province;
3. Review Saskatchewan's existing municipal legislation;
4. Review municipal legislative renewal initiatives in other provinces and territories and consider what may be of value for Saskatchewan; and
5. Produce a set of recommendations on the need for, and the nature of, changes to municipal legislation in Saskatchewan."

TASK FORCE STAFF

Joseph Garcea	Director of Research and Analysis
Rod Nasewich	Policy Analyst
Michael Lachine	Policy Analyst
Gail Elliott	Administrator

▲ Copies of this report and other documents produced by the Task Force listed below can obtained from:

- Web-site **www.communilink.sk.ca/municipal_task_force**
- Saskatchewan Department of Municipal Affairs Culture and Housing.

▲ Task Force's public documents include:

- "Discussion Paper" (Spring 1999)
- "Issues and Options Workbook" (Fall 1999)
- "Visions and Views from Community Forums" (Fall 1999)
- "Interim Report" (Winter 2000)
- "Report of Public Hearings & Submissions" (Spring 2000)
- "Options 2000: A Framework for Municipal Renewal - Rural and Urban Sectors, Final Report"
- "Options 2000: A Framework for Municipal Renewal - Northern Sector, Final Report"
- "Options 2000: A Framework for Municipal Renewal - Summary of Final Reports"

PART ONE

Options 2000:

Rural and Urban Municipal Sectors

Summary of Final Report

1. INTRODUCTION

Focus of Report

▲ This report focuses on municipal renewal within the rural and urban sectors in southern Saskatchewan.

▲ A separate report has been produced on issues of municipal renewal for the northern municipal sector that exists within the Northern Administration District.

▲ Nevertheless, some of the issues, options and potential directions profiled in this report may have some relevance for the northern municipal sector. Similarly, some of the issues, options and potential directions profiled in the report on the northern sector may have some relevance for the rural and urban sectors.

▲ The reason for this is that, despite some significant differences between some northern and southern communities and municipal governments (e.g., geographic proximity and transportation links to neighbouring municipalities), they also have some significant similarities in their basic needs for both community and governmental capacity building as they enter the 21st century.

Purpose of Report

▲ The purpose of the report is to stimulate thinking on the following:
- The need for municipal renewal;
- The nature of municipal renewal; and
- The requirements for municipal renewal.

▲ Toward that end this report provides:
- An overview of the factors that create the need and impetus for renewal;
- A detailed **'framework of issues, options, and potential directions'** that should be considered in undertaking municipal renewal; and
- An overview of requirements for achieving municipal renewal.

▲ In producing a ***'framework of issues, options and potential directions'*** the objective is to produce the ***'building blocks'*** for municipal renewal.

▲ The objective of this report **is not** to produce the ***'blueprints'*** for renewal. Producing the **'blueprints'** for municipal renewal is the role and responsibility of local and provincial governments and the communities they serve through various decision-making processes. The Task Force's role and responsibility is to ensure that all stakeholders who will be involved in various renewal decision-making processes have a document that identifies many of the key issues and options that should be considered in producing those *'blueprints'*.

▲ The Task Force continues to be hopeful that one such decision-making process, namely the Municipal-Roundtable involving the Saskatchewan Association of Rural Municipalities (SARM) and the Saskatchewan Association of Urban Municipalities (SUMA), and the provincial government will produce some substantial ***'blueprints'*** or plans for municipal renewal.

▲ The Task Force hopes that this report will serve as a valuable reference document for everyone interested and involved in municipal renewal. In particular it hopes that it will be of value for those who have assumed the lead responsibility for producing plans for municipal renewal in Saskatchewan.

▲ Such plans are essential because the need for municipal renewal continues to be imperative for ensuring that municipal and provincial governments are capable of serving the needs and preferences of Saskatchewan's communities effectively, efficiently and equitably with the appropriate degree of accountability.

Approaches of Report

▲ This report has been produced using three very important approaches, namely:
- The 'systems' approach;
- The 'building blocks' approach; and
- The 'contingency' approach.

(a) The Systems Approach

▲ The 'systems approach' focuses attention on most parts of the municipal system, rather than to only one part or element of it. The Task Force adopted this approach for two reasons.

▲ First, the broad scope of its mandate dictated that various individual parts or elements of the municipal system be reviewed.

▲ Second, given the important interconnections between the various major parts or elements of the municipal system, meant that it was not prudent to deal only with some of them, but not others. Thus for example, it was difficult to consider the nature and scope of renewal to the functions of municipal governments without also considering, among other things, the nature and scope of renewal to the status, powers, and finances of municipal governments.

(b) The Building Blocks Approach

▲ The ***'building blocks approach'*** was chosen over the ***'singular model approach'*** because the former constitutes a more prudent and potentially productive approach for fostering and facilitating municipal renewal. The reason for this is that it provides everyone interested and involved in municipal renewal with a greater opportunity to construct the models that they prefer. Unlike the other approach which presents them with a singular model consisting of a highly integrated set of proposed directions for renewal to various parts or elements of the municipal system, it provides them only with the key **'building blocks'** to construct their own models for renewal purposes. It does so by profiling a range of **'issues, options, and potential directions'** that should prove useful for such purposes.

▲ The Task Force decided to adopt the ***'building blocks approach'*** rather than the ***'singular model approach'*** for three major interrelated reasons.

- First, because many of those who made oral and written submissions during the various rounds of public consultations indicated that they wanted more information on various issues, options and potential directions to help them make more informed choices regarding municipal renewal.
- Second, because there is a lack of consensus within the province on options and directions for renewing various parts of the municipal system. This is particularly true for renewal to the structural features of the municipal system. Notwithstanding considerable agreement that some restructuring may be beneficial, there is not a high degree of agreement either on the precise nature and scope of such restructuring or the approaches for accomplishing the same.
- Third, because it wanted to maximize the chances that the report would be of some value for renewal regardless of the nature of decisions that are made regarding any particular element of the system in the near future. The Task Force was concerned that by using the *'singular model approach'* it ran the risk of rendering this Final Report valuable or useful only if the singular model proffered therein were chosen for renewal purposes.

▲ The Task Force hopes that its decision to use the 'building blocks approach' rather than the 'singular model approach' will render this Final Report more valuable for all those interested and involved in municipal renewal.

▲ To reiterate, rather than profiling or advocating a 'single model', the Task Force has provided the 'building blocks' by which those interested and involved in renewal can either modify the existing system or create substantially new and different one. The Task Force's hope is that many will choose to use this report in that way.

(c) The Contingency Approach

▲ This report has been produced using the ***'contingency approach'***.

▲ This means that in identifying key issues, options and potential directions for renewal, consideration is given to the relationship between two parts or elements of the system or two or more facets of a particular part or element of the system.

▲ The contingency approach has been used in recognition that the nature and scope of renewal to one part or element of the system, depends or is contingent upon the nature and scope of renewal (or lack of renewal) to the other parts or other elements of the system.

▲ The contingency approach is particularly important when considering two key matters that constitute the core of the Task Force's mandate, namely the:

i. Roles and Responsibilities of Municipal Governments; and
ii. Municipal-Provincial Relationships.

(i) Contingencies on Roles and Responsibilities of Municipal Governments

- The fundamental principle of the contingency approach suggests that there should be a close correlation between various parts or element of the system, including the following:
  - Functions (i.e., roles and responsibilities) of municipalities;
  - Status of municipalities;
  - Powers (i.e., authority and autonomy) of municipalities; and
  - Finances of municipalities.

(ii) Contingencies on Municipal-Provincial Relationship

- Similarly, the fundamental principle of the contingency approach suggests that there should be a close correlation between, among other things, functions (i.e., roles and responsibilities) of municipal governments, and the nature of the municipal-provincial relationship. In other words, municipal governments actually performing the same functions (i.e., roles and responsibilities) should expect the same relationship with or treatment from the provincial government on matters such as status, powers (i.e., authority and autonomy), and finances.

- The fundamental principle embodied in the contingency approach serves as an important reminder of the linkages among various issues, options and proposed directions that are profiled in this Final Report. It also serves as an important reminder that due care and attention of such linkages is required in any analyses, discussions, or initiatives on municipal renewal in the future.

- The application of the fundamental principle of the contingency approach articulated above will require two things:
  - First, close attention to the types of provisions included in statutes, policies, and programs regarding the precise functions (i.e., roles and responsibilities) of various municipal governments.
  - Second, a set of accountability mechanisms and instruments that provides the means to track and measure the extent to which various municipal governments actually perform various functions (i.e., roles and responsibilities).

- Such provisions and accountability mechanisms and instruments are important both for:
  - Any accountability requirements from municipal governments to the provincial government; and
  - Any accountability requirements from municipal and provincial governments to ratepayers and residents.

- The reason for this is that to hold both their municipal and provincial governments accountable, ratepayers and residents must know the alignment of functions (i.e., roles and responsibilities) between them.

▲ The contingency approach to municipal renewal is consonant with the principle of equality of municipalities because it postulates that equality of functions means equality of, among other things, status, powers, and finances. This is a concept that many of those who made oral and written submissions during the public consultations endorsed either explicitly or implicitly.

Bases of Report

▲ The issues, options, and potential directions profiled in this report are based on ideas and materials collected from two major sets of sources.

(i) First, this report is based on ideas regarding various issues, options, and potential directions regarding municipal renewal from the following:
- Those who made oral or written submissions during various rounds of public consultations;
- Those who made oral and written submissions to the Task Force's office;
- Those who participated in various 'Special Forums' conducted in collaboration with various organizations and their members;
- Those who spoke to Task Force members outside of formal forums or hearings;
- Those who provided written or oral comments in various media formats; and
- The Task Force members.

(ii) Second, this report is based on ideas regarding various issues, options, and potential directions on municipal renewal gleaned from several major sets of documents and literature including:
- The municipal statutes of every jurisdiction in Canada;
- The reports on municipal renewal produced in Saskatchewan as well as in other jurisdictions in the recent and distant past; and
- The literature on the municipal systems and municipal renewal initiatives of other jurisdictions.

Contributions to Report

▲ This report is the product of the thoughts and efforts of many people in this province, and not merely those of the Task Force members.

▲ The Task Force sincerely appreciates the interest and commitment demonstrated during the review process by the following:
- ratepayers and residents of various communities;
- municipal governments and their officials;
- various organizations and their officials,
- various provincial government departments and their officials, and
- various members of the media.

▲ The Task Force has had the priviledge and responsibility of producing this report as well as the other documents that preceded it. However, it could not have done it without the strong and generous support and dedication of many people. This includes those who have been unable to agree with some of its observations and propositions in previous reports and those who may disagree with some of our observations propositions in this report.

▲ The important point to note here is that the reports of the Task Force 'initial products' rather than 'end products'. Before any substantial 'end products' emerge from this process many more contributions of many people who are interested and committed to municipal renewal will be required.

Need for Renewal

- This report underscores that there is a substantial, pressing and continuing need for municipal renewal. The Task Force shares the belief of those who contend that municipal renewal is imperative not only for the future of any particular individual local or regional community and economy, but also for the future of all local and regional communities and economies and, ultimately, for the provincial community and economy.

- The failure to undertake municipal renewal could contribute to the failure of all governments to produce the policies, programs, and projects that will assist local and regional communities in addressing the challenges and problems that confront them. Such failures could prove catastrophic not only for the individual communities but the province as a whole.

- The Task Force, like others, is left wondering about the extent to which **some** of the current challenges and problems confronting **some** of Saskatchewan's communities and their economies today is a function of failure to undertake the requisite municipal renewal in a timely and appropriate manner in the past.

- The Task Force shares the belief of those who contend that municipal renewal alone is not the solution for all the challenges and problems confronting Saskatchewan. Nevertheless, the Task Force shares the belief of those who contend that municipal renewal is a very significant part of the solution.

- The Task Force shares the belief of those who contend that the problems in the system stem from the statutory, structural, and financial frameworks, rather than the number or types of people who are operating the system. Indeed, the Task Force believes that in light of those problems, it is remarkable that the system works as effectively and efficiently as it does.

- The fact that it works relatively well is due in large part to all the special efforts of the many dedicated elected and appointed officials and their ratepayers in performing various crucial tasks. Their ability to perform those tasks is compromised considerably both by the problematic statutory, structural, and financial frameworks of the municipal system, including the level and distribution of financial and human resources therein, and the negative effects of various demographic and economic trends affecting them.

Vision for Renewal

▲ This report is based on the following vision of municipal governance in the 21st century.

"In the 21st century municipal governance will continue to be of fundamental importance for creating and sustaining vital, vibrant, and viable communities and in providing their members with a high quality of service, a high quality of development, and a high quality of life."

Goals for Renewal

▲ There are and will continue to be many specific goals and objectives for renewal of various parts of the municipal system. These specific goals and objectives are articulated either explicitly or implicitly in various sections of this report.

▲ The Task Force shares the belief of those who contend that there should be two overarching goals of municipal renewal.

1. Eliminate Problematic Features of the Municipal System

▲ The first goal is to eliminate the problematic features of both the statutory and structural and financial frameworks of the municipal system.

2. Eliminate the Problematic Features of the Provincial System

▲ The second goal is to eliminate the problematic features of the statutory, structural and financial frameworks of the provincial system of governance that cause serious problems for the municipal system.

▲ This report focuses much more on what can and must be done to achieve the first goal, than on what can and must be done to achieve the second goal. Many more issues and options regarding the problematic frameworks of the provincial system must be addressed in conjunction with what can or must be done to achieve the second goal, than are examined in this report. This includes, for example, what can and must be done with:

- The various provincial statutes and the policies and programs that flow from them;
- The geographic basis of the organization of the provincial system of governance and management; and
- The departmental organizational basis of the provincial system of governance and management.

▲ Current and future provincial governments and legislatures must continue to ask the same difficult and fundamental questions about the need for renewal to the frameworks of the provincial system of governance that are being asked of the frameworks of municipal system of governance.

▲ Both of the goals listed above are very broad but nonetheless of substantial importance for municipal renewal. Setting less substantial overarching goals would be tantamount to tinkering, and tinkering is not enough.

II. NEED, VISION AND GOALS FOR RENEWAL

▲ There are at least ten major requirements for renewal.

MUNICIPAL RENEWAL IS IMPERATIVE

Municipal Renewal Plan

▲ First, a comprehensive and detailed municipal renewal plan is required.

▲ Such a plan should deal with various facets of the renewal process including, but not limited to, the following:
- The major stages for renewal and what is to be achieved at each stage.
- The major parts or elements of the municipal system that will be reviewed and renewed.
- The goals and objectives that will guide the review and renewal of each of those parts or elements of the system.
- The means by which each part or element of the system will be reviewed and renewed.
- The timeframes for reviewing and renewing each part or element of the system.

Renewal Must be a Priority

▲ Second, renewal must become a priority for everyone. At the very least it must become a priority both for provincial and municipal governments. However, renewal also requires active involvement by members of the general public. Their involvement is essential to ensure their needs and preferences influence the directions of renewal. This is not an issue just between provincial and municipal governments. Everyone has a stake.

▲ For renewal to become a priority it requires that everyone understand that municipal governments are important for more than the delivery of a few basic municipal services (roads, water, sewer, etc.). They are also important, in fostering and facilitating development and quality of life in their communities.

Focus on Public Interest

▲ Third, renewal requires that all stakeholders and members of the public focus on the public interest. The public interest must be paramount; organizational, personal, parochial, and partisan interests should not become impediments or obstacles to municipal renewal.

Effective Leadership

▲ Fourth, successful renewal requires effective leadership. Such leadership must come from several places including: municipal elected and appointed officials; provincial elected and appointed officials; members of the 'for-profit' and 'non-profit' sectors; members of unions, and other influential members of local and regional communities. Indeed, it requires leadership on the part of ratepayers and residents in every community in this province.

Bold Initiatives and Bold Compromises

▲ Fifth, renewal requires bold initiatives and compromises on the part of all stakeholders. Bold initiatives and bold compromises are absolutely essential to achieve the type of renewal that many want and Saskatchewan's local, regional, and provincial communities and economies need.

Understanding Context of Municipal Governance

▲ Sixth, renewal also requires an understanding that municipal governments operate in an economic, social, and intergovernmental context that is substantially different than when the municipal system was first established. The sizes of the economic and social communities are significantly different today than they have been in the past, and they will likely become increasingly different in the future.

▲ Similarly, the intergovernmental context of today is very different from what existed when the municipal system was first established. The nature of municipal-provincial relations and the roles and responsibilities of municipal, provincial, federal, and Aboriginal governments have changed substantially over time.

▲ An understanding of the economic, social, and intergovernmental contexts leads to a better appreciation regarding the need for and nature of renewal.

Renewal of Provincial and Local Sectors

▲ Seventh, to ensure that renewal in the municipal sector is successful requires renewal in the provincial government sector. This is particularly important for those elements of the provincial government sector that have a direct and significant effect on the municipal sector. This includes those elements that deal with key matters such as economic development, highways, and the environment.

▲ As well, it is necessary to renew the local non-municipal government sector to ensure that there is an optimal structural and functional alignment with the municipal sector.

Appropriate Governmental Policies and Programs

▲ Eighth, to ensure that municipal renewal is successful it is important, indeed imperative, that the policy and program frameworks of the municipal, provincial and federal governments foster and facilitate various types of development.

Appropriate Balance of Local and Regional Governance

▲ Ninth, to ensure that renewal is successful requires an appropriate balance between local and regional municipal governance. Local and regional forms of governance exist now and always will. The challenge will be to find both the appropriate forms and the appropriate balance between the two for different purposes, in different places, at different points in time.

Appropriate Approaches

▲ Tenth, renewal requires appropriate approaches guided by appropriate principles.

▲ Whereas in the *Interim Report* the Task Force suggested that a 'negotiated approach' to statutory renewal and a 'directed consultative approach' to structural renewal should be used, in this report the Task Force suggests that 'the most appropriate approaches' should be used to ensure that the goals of municipal renewal are accomplished. Moreover, the Task Force suggests that careful consideration should be given to the nature and degree of consultations, negotiations, and directions that are required on everyone's part to ensure that the requisite municipal renewal is achieved for the benefit of local, regional, and provincial communities and economies.

▲ In the case of direction on the part of the provincial government, the Task Force wishes to underscore that the type of direction it envisaged in the *Interim Report* was <u>not</u> just so-called 'forced amalgamation'. Instead, it envisioned a continuum with 'voluntary amalgamation' at one end where local preference would be relatively extensive, and 'mandated amalgamation' at the other end where local preference would be relatively limited. The decision as to the degree of provincial direction that is required on that continuum has always been, and remains, a matter of policy choice. The views expressed during the Task Force's public consultations should have provided all municipal and provincial decision-makers with indications of the preferences that exist in the province which must be factored into choosing 'appropriate approaches' for renewal.

▲ In this report, as in the *Interim Report*, the Task Force wishes to underscore that any approach used for renewing the municipal system should be guided by five fundamental principles:

(a) Positive and Proactive Leadership

▲ The process should be led and directed in a positive and proactive manner not only by the municipal and provincial governments, but also by ratepayers and residents.

(b) Transparency

▲ The process should be highly transparent. It should be designed in a way that everyone understands the nature of the decisions that must be made, the decision- making sites, who the decision-makers are, and ultimately, the nature of the decisions made.

(c) Openness

▲ The process should be very open. Everyone should have an opportunity to express views either in writing or orally on any proposed renewal.

(d) Advance Notice

▲ The process should include advance notice of any significant initiative for renewal.

(e) Adequate Consultations

▲ The process should include adequate consultations of any significant initiative for renewal.

IV. NATURE OF MUNICIPAL RENEWAL

▲ The part of the report on the 'Nature of Municipal Renewal' profiles major issues, options and potential directions for renewing the following facets of the municipal system:

- Municipal Legislation
- Municipal Status
- Municipal Purpose
- Municipal Functions
- Municipal Powers
- Municipal Finances
- Municipal Governance
- Municipal Management
- Municipal Classification
- Municipal Processes
  - Incorporation Processes
  - Dissolution Processes
  - Reversion Processes
  - Annexation Processes
  - Amalgamation Processes

- Municipal Regional Governance
  - Statutory Basis for Regional Governance
  - Processes for Regional Governace
  - Forms of Regional Governance
  - Functional Frameworks of Regional Governance
  - Governing/Management Frameworks for Regional Governance
  - Financial Frameworks for Regional Governance

Municipal Legislation

▲ This section of the report examines the fundamental nature, formatting, and wording of the current municipal legislation.

▲ The central theme of this section is that the fundamental nature, formatting, and wording of the current municipal legislation should be improved.

▲ The general thrust of the proposed directions is that consideration should be given to the following:

- Altering the fundamental characteristic of the statutory framework from a relatively detailed 'regulatory framework' to a relatively general 'policy framework' modeled on constitutional documents that captures the essential facets of key issues related to the status, purpose, functions, powers, duties, finances, governance, and management frameworks of municipal governance;
- Consolidating core municipal legislation into a general Municipal Act;
- The use of special municipal statutes, municipal charters, or municipal codes to meet the needs of either any particular types or sub-types of municipalities, or any particular municipality when necessary;
- Modern formatting;
- Thematic organization;
- Comprehensive tables of contents and indexing; and
- Plain language.

Nature of Core Municipal Legislation

▲ Consideration should be given to ensuring that core municipal legislation (i.e., general municipal acts) is designed to provide a general 'policy framework' for municipal governance rather than a detailed 'regulatory framework'.

▲ Consideration should be given to maximizing 'permissive' provisions and principles and minimizing 'prescriptive' or 'restrictive' provisions and principles both in the core and related municipal legislation.

▲ Consideration should be given to removing detailed 'regulatory provisions' from core municipal legislation and, if necessary, placing them in any one or more of the following:

(a) Schedules of core municipal legislation;
(b) Related statutes;
(c) Municipal charters; and
(d) Municipal codes.

IV. NATURE OF MUNICIPAL RENEWAL (CONT'D)

KEY RATIONALE

▲ Creating core municipal legislation that sets out the broad policy framework for municipal governance would help accomplish the following:
- Clarify and establish clear principles regarding the purpose, status, powers, duties, forms, functions, finances, governance and management of municipal governments;
- Clarify the uniformity or variance among different forms and types of municipalities with respect to all or some of the above elements;
- Clarify the relationship between municipal and provincial governments.
- Improve the transparency and understanding of the municipal system for elected and appointed municipal officials, residents and ratepayers, businesses and organizations, other governments, and the general public;
- Allow regulations and provisions regarding procedures, processes and practices to be changed more easily by reducing the need for involvement by the provincial legislature and statutory changes; and
- Allow the creation of one "Municipal Regulatory Code" consisting of all related legislation and regulations that affect municipal governments.

▲ Ensuring that both core and related municipal legislation has maximum 'permissiveness' and minimum 'prescription' or 'restriction' would help accomplish the following:
- Give all municipal governments the right to govern to the best of their capacity and ability, with a minimum degree of prescription, restriction, or interference by the provincial government regarding certain matters within their jurisdiction;
- Give all municipal governments the broad statutory authority to develop their own policies, procedures, processes and practices regarding certain matters within their jurisdiction without requiring the assistance and involvement of the provincial government;
- Complement proposed directions for enhancing municipal status, power, authority and autonomy outlined in other parts of this report; and
- Complement the inclusion of special principles and provisions in municipal legislation such as 'natural person powers' and 'spheres of municipal jurisdiction.'

▲ One of the means of minimizing prescriptiveness is to allow municipal governments to supplement general municipal legislation with 'home rule charters'. The use of such individual municipal charters has the potential to do the following:
- Allow those municipalities with the need, desire, capacity or ability to establish their own policies, procedures and practices regarding certain matters within their jurisdiction to do so, while also providing some policies and regulations for those without such need, desire, capacity or ability;
- Accommodate distinctions and differences in functions, finances, powers and duties among different types and sizes of municipalities;
- Provide for greater flexibility in the governance, management and organization of municipalities, freeing some municipal governments from restrictive of provincial regulations that are designed to accommodate all types of municipal governments and authorities; and
- Provide more customized policies, procedures, and practices for governance and management matters that are tailored to local preferences and needs.

Consolidation of Core Municipal Legislation

▲ **Consideration should be given to the consolidation of core municipal legislation into one common Municipal Act for all municipalities.**

▲ **Consideration should be given to adopting a separate 'Municipal Act' or 'Municipal Charter' either for any particular category or type of municipalities, or for any individual municipality, only when there is compelling evidence that it is absolutely essential for democratic governance and sound management.**

▲ **Consideration should be given to noting any distinctions and differences regarding, among other things, the purposes, powers, functions, duties, governance, and management frameworks, of the various types and sub-types of municipalities in one of the following:**
- **Body of the general Municipal Act;**
- **Appendices of the general Municipal Act;**
- **Charters pursuant to the general Municipal Act; or**
- **Regulations pursuant to the general Municipal Act.**

▲ The consolidation of the core municipal acts into one core Municipal Act for municipalities would help accomplish the following:
- Produce a core municipal statute that all municipalities could use to the best of their capacity and ability.
- Make it easier to treat municipalities equally in terms of their fundamental purpose, status, powers, duties and functions where such equality is warranted or necessary.
- Make more transparent the similarities and differences in the following:
  - Provisions regarding the powers, duties, functions, governance, and management of the different types or sizes of municipalities; and
  - Provisions regarding training, qualification, and certification of administrative personnel for various types of municipalities.
- Assist in creating core municipal statutes that are broad 'general policy frameworks' outlining general principles regarding municipal governance rather than 'detailed regulatory frameworks' detailing how different types of municipalities must or may perform their roles and responsibilities.
- Remove some of the statutory impediments to greater urban-rural inter-municipal cooperation or restructuring that may exist as a result of differences and inconsistencies in the wording between the current legislation for urban and rural municipalities.
- Facilitate the mobility of qualified administrative personnel between urban and rural municipalities.
- Facilitate the sharing of qualified administrative personnel between urban and rural municipalities.

▲ The adoption of a separate 'Municipal Act' or 'Municipal Charter' either for any particular category or type of municipalities, or any individual municipality only when there is compelling evidence that it is absolutely essential for democratic governance and sound management is valuable for the following purposes:

- Municipalities covered by such acts or charters would not feel unduly constrained by the nature and scope of any general municipal act.
- The general municipal act would be less complicated because it would not have to contain various provisions designed to accommodate the special statutory needs of some municipalities that have little, if any relevance for the rest;
- Separate 'Municipal Acts' or 'Municipal Charters' could prove useful in meeting the special statutory needs of cities. This is particularly of the larger cities, whose functional and financial responsibilities, as well as their financial and organizational capacity, tend to be substantially broader than those of many other municipalities.

Consolidation of Related Municipal Legislation

▲ **Consideration should be given to consolidating as much related municipal legislation as possible either into a single 'Municipal Act' or 'Municipal Regulatory Code' or a very limited number of such statutes or codes for all municipalities.**

▲ The consolidation of the related legislation governing municipalities into one related municipal statute would help accomplish the following:

- Reduce the confusion regarding the various statutes that govern municipal governments;
- Simplify the statutory framework for municipal governance.
- Improve accessibility to statutes and regulations for elected and appointed municipal officials, residents, ratepayers, businesses, organizations, and other levels of government;
- Continue to accommodate any differences or variations among different types or sizes of municipalities that may be necessary through different provisions within a common Act, different regulations accompanying an Act, and so on;
- Make more transparent the similarities and differences among different types or sizes of municipalities in Saskatchewan; and
- Assist in creating core municipal statutes that are broad 'policy frameworks' by placing the various 'regulatory frameworks' in one related municipal statute.

Formatting and Wording of Municipal Legislation

▲ **Consideration should be given to rewriting, simplifying and clarifying municipal legislation by, among other things, paying special attention to the use of all of the following:**
- **Modern formatting;**
- **Thematic organization;**
- **Comprehensive tables of contents and indexing; and**
- **Plain language.**

▲ The formatting and wording of municipal legislation has a direct bearing on its ease of use for officials and particularly ratepayers and residents.

▲ Municipal legislation must be formatted and worded in a manner that will encourage people to refer to it and facilitate their ability to do so when needed.

▲ Municipal legislation must be written as much with the needs of ratepayers and residents in mind, as with the needs of municipal officials, lawyers and the courts.

Municipal Status

REVIEW AND RENEW STATUS

▲ This section of the report profiles issues, options and potential directions regarding the status of municipal governments.

▲ The major theme of this section is that improvements should be made to clarifying the status of municipal governments within the political system.

▲ The general thrust of the proposed directions are that consideration should be given to:
- the recognition of municipal governments as a 'level of government' rather than 'order of government'; and
- the relative merits of using constitutional, statutory, and intergovernmental policy instruments as the means for recognizing the status of municipal governments as a 'level of government'.

▲ This section of the report also raises two important points for further consideration:
- Although the 'de-jure' status of municipal governments is an important issue, it may not be as important as the 'de-facto' status of municipal governments that flows from their organizational power and capacity within the political system.
- Although clarifying and possibly enhancing the status of municipal governments is important, it may not be the most important or pressing issue for review and renewal.

Recognition of Status of Municipal Governments

▲ **Consideration should be given to the recognition of municipal government as an independent, accountable and responsible 'Level of Government.'**

▲ **Consideration should be given to the relative importance of this issue versus other issues that must be considered to enhance the capacity and powers of municipal governments in fulfilling their purposes and performing their functions.**

▲ The explicit and formal recognition of municipal governments as an independent, accountable and responsible 'level of government' through the means and instruments identified in the next sub-section would be acknowledging the obvious.

▲ First, they are relatively independent level of government, even though the nature and scope of the independence from the provincial government of various forms or types of municipal governments and even specific governments within any particular form or type is highly variable.

▲ Second they are accountable and responsible to their electors, even though the level of accountability is variable among various types of municipal governments and even for the same municipal governments over time and across issues.

▲ Third, they are a 'level of government' with a certain degree of authority and autonomy. What they are not, and are not likely to become in the near future, are 'sovereign orders or levels of government'.

▲ The benefit of recognizing them more explicitly and formally as a 'level of government' is that the process leading to doing so would prove to be highly educational for everyone regarding the following matters:
- The fundamental nature and scope of the relationship between the municipal and provincial governments;
- The fundamental nature and scope of the authority and autonomy of municipal governments, which is at the core of the status issue;
- The nature and scope of the fundamental purposes, functions, powers, and duties of municipal governments; and
- The fundamental importance of the relationship between having the status as a 'level of government' and having the capacity to operate as a 'level of government.'

▲ Recognizing municipal governments as a 'level of government' within the provincial statutory framework would serve as an important reminder to everyone that municipal governments have still not achieved the status as an 'order of government' comparable to that of the federal and provincial governments within the national constitutional framework.

KEY ISSUE

Uniformity or Variance in Municipal Status

KEY DIRECTIONS

▲ **Consideration should be given to whether the nature and scope of the status as a 'level of government' should be either uniform and not contingent on any criteria, or variable and contingent on the following criteria:**
- **The nature and scope of the functional and financial roles and responsibilities of municipal governments; and**
- **The nature and scope of the capacity of municipal governments to perform those roles and responsibilities.**

KEY RATIONALE

▲ The proposed directions echo the principles that underpin the current operation of the municipal system. After all, within the current municipal system there are already differences in what is tantamount to the 'status' of municipal governments.

▲ This is evident in the fact that there are differences in the nature and scope of the authority and autonomy of certain forms or types of municipalities for certain matters. Such differences are based largely on differences in the nature and scope of the functional and financial roles and responsibilities of various forms or types of municipal governments which, in turn, are based on an implicit or explicit recognition of differences in their financial and organizational capacities to perform those roles and responsibilities.

▲ The proposed directions recognize that not all municipal governments are likely to have the same capacity for exercising the same status as a 'level of government' or, more precisely, the corresponding degree of authority and autonomy that might be accorded to them.

▲ Some municipal governments have much more organizational capacity than others both in the nature and scope of the functional and financial roles and responsibilities that they can perform, and in the degree of authority and autonomy that they can exercise in relation to such roles and responsibilities.

▲ The underlying principles regarding the degree of uniformity or variance in the status of municipal governments that should be considered are as follows:
- The greater the differences (or variance) among municipalities both in their functional and financial roles and responsibilities and in their capacities to perform the same, the greater are likely to be the differences (or variance) in their status and the corresponding degree of authority and autonomy.
- Conversely, the greater the similarities (or uniformity) in such roles, responsibilities, and capacities, the greater the similarities (or uniformity) in their status and the corresponding degree of authority and autonomy.

▲ The basic principle is that there should be a correspondence between the following:
- The status of municipal governments;
- The functional and financial roles and responsibilities of municipal governments; and
- The capacities of municipal governments to perform their roles and responsibilities.

Instruments for Status of Municipal Governments

Key Directions

▲ **Consideration should be given to exploring ways to enhance the status of municipalities in the province as a 'level of government' within all of the following frameworks:**
- **Provincial Constitutional Framework;**
- **Provincial Statutory Framework; and**
- **Intergovernmental Agreements Framework.**

▲ **Consideration should be given to the merits of including provisions regarding the status of municipal governments as a 'level of government' not only in general municipal statute(s), but also in a separate special statute that would have a 'quasi-constitutional' standing within the statutory framework.**

▲ **Consideration should be given to the provincial and municipal governments using protocol agreements and protocol sub-agreements that deal with specific matters so as to provide greater clarity, transparency, and certainty in municipal-provincial relations and coordination.**

▲ **Consideration should be given to the Municipal-Provincial Roundtable producing a 'General Protocol Agreement on Municipal-Provincial Relations and Coordination' that contains provisions for various categories of 'Protocol Sub-Agreements' that could be established pursuant to that particular agreement.**

Key Rationale

▲ The directions outlined above should provide municipal and provincial governments and voters with codified sets of fundamental principles regarding the status of municipal governments and the nature and scope of their relationships with the provincial government.

▲ Such codified sets of principles could prove to be useful instruments for four major purposes:
- First, they could prove useful for the provincial and municipal governments in defining their respective roles and responsibilities and their relationship.
- Second, they could prove useful for the provincial and municipal governments in holding each other accountable and responsible for their respective roles and responsibilities and the nature of their relationships.
- Third, they could prove useful for the voters in holding both the provincial and municipal governments accountable and responsible for their respective roles and responsibilities and the nature of their relationships.
- Fourth, they could prove useful for the courts in resolving issues of interpretation regarding, among other things: the fundamental status of municipal governments; their fundamental purposes, functions, and powers; their fundamental relationship to the provincial government; and their fundamental relationship to ratepayers and residents.

IV. NATURE OF MUNICIPAL RENEWAL (CONT'D)

KEY ISSUE

Principles Related to Status of Municipal Governments

KEY DIRECTIONS

▲ **Consideration should be given to the relative merits of including various fundamental principles embodied in the existing or proposed statutory frameworks and intergovernmental agreements frameworks of other jurisdictions in any instruments chosen for recognizing and safeguarding the status of municipal governments as a 'level of government' in this province.**

▲ **Consideration should be given to ensuring that any instruments used for recognizing and safeguarding the status of municipal governments as a 'level of government' contain useful principles regarding various matters including, but not limited to, the following:**

1. **Fundamental Constitutional and Legal Matters**
   The constitutional status of municipal governments.
   The legal corporate status of municipal governments.
2. **Structural Matters**
   The creation, conversion, annexation, amalgamation, and dissolution of municipalities.
3. **Functional Matters**
   The nature and scope of their core functions.
   The means by which they perform their core functions.
4. **Intra-governmental Matters**
   The organizational frameworks of municipalities.
   The management frameworks of municipalities.
5. **The Inter-governmental Matters**
   Notice and consultation.
   Joint decision-making.
   Provincial compliance.

▲ **Consideration should be given to ensuring that provisions regarding the status of municipal government as a 'level of government' articulate not only principles regarding their fundamental rights and powers, but also principles regarding either any duties or limitations that correspond to those rights and powers.**

▲ **Consideration should be given to ensuring that provisions regarding the status of municipal government as a 'level of government' embody the following fundamental principle:**

- **Municipal governments have the right to act in a relatively autonomous fashion and to exercise 'natural person powers' within their 'spheres of jurisdiction' in accordance with and subject to any limitations contained either in the constitution or any provincial legislation.**

▲ **Consideration should be given to ensuring that any provisions regarding the status of municipal governments as a 'level of government' embody the fundamental principle that there should be a correspondence between the following matters:**

- **The status of municipal governments;**
- **The functional and financial roles and responsibilities of municipal governments; and**
- **The capacities of municipal governments to perform their functional and financial roles and responsibilities.**

▲ The foregoing directions are based on at least four important considerations.

- First, there is no shortage of provisions and principles regarding the status of municipal governments as a level of government in statutes and documents produced to date by various governments and associations. The challenge for those interested in this issue in Saskatchewan is to determine which of those provisions and principles should be embodied within various instruments chosen for municipal governance.
- Second, for the status of municipal governments as a 'level of government' to have any significance within the general governance framework in this province it must be grounded in fundamental principles that are both appropriate, practical and legitimate. In particular, it is important that it is grounded in useful principles regarding the nature and scope of their authority and autonomy in, among other things, various structural, functional, financial, operational matters and the types of policies, programs and projects that are needed and preferred in their communities.
- Third, there must be a close correspondence between the status of municipal governments as a 'level of government' and the capacity of municipal governments to fulfill their fundamental purpose, and perform their fundamental roles and responsibilities as governments. If municipal governments lack such capacity, their status as a 'level of government' will have little meaning and importance either for them or for ratepayers and residents that comprise their communities.
- Fourth, the status of municipal governments as a 'level of government' should either be the first major issue to consider in municipal renewal or the last.
    - If it is the first issue, then decisions must be made about the precise nature and scope of the status that municipal governments will have and design everything else accordingly.
    - Conversely, if it is the last issue to be considered, then decisions regarding the nature and scope of status must be made after decisions have been made regarding other important matters identified in this and subsequent sections of this report.

Municipal Purpose

REVIEW AND RENEW PURPOSE

▲ This section of the report profiles various issues, options, and potential directions regarding the fundamental purpose of municipal governance.

▲ The general theme of this section is that it would be beneficial to clarify the fundamental purposes of municipal governments as part of clarifying their functions, status, powers, finances, etc.

▲ The general thrust of the proposed directions are that consideration should be given to incorporating a new 'Statement of Municipal Purpose' in municipal legislation that:
- Clearly defines the fundamental purposes of all municipal governments; and
- Clearly distinguishes differences, if any, in the fundamental purposes of various types of municipal governments.

KEY ISSUE

KEY DIRECTIONS

Nature and Scope of Municipal Purpose

▲ Consideration should be given to developing a new 'Municipal Purpose Statement' to be included either in the Preamble or in an initial section of both core municipal legislation and related legislation.

▲ Consideration should be given to producing a new 'Municipal Purpose Statement' that is sufficiently precise to provide the basis for developing statutory frameworks regarding the functions, powers, finances, governance, and management of each category or type of municipal government.

▲ Consideration should be given to developing a new 'Municipal Purpose Statement' that is relatively clear and precise on two key matters:
- **The nature and scope of the fundamental purposes of all municipalities; and**
- **The key differences, if any, in the fundamental purposes of various forms or types of municipalities.**

▲ Consideration should be given to producing a 'Municipal Purpose Statement' that includes provisions and principles regarding the following types of matters:
- **Providing democratic governance and accountable public management;**
- **Providing the governance, management, planning and development, and delivery of public services within their boundaries that meets the needs and preferences of their respective ratepayers and residents;**
- **Fostering economic, community, social, cultural and environmental development; and**
- **Ensuring good quality of life for members of their communities.**

▲ The proposed directions outlined above will help accomplish the following:
- Clarify the broad purposes of all municipal governments in the province;
- Clarify the differences, if any, in the purposes of different categories or types of municipal governments;
- Provide a basis on which to renew the framework for aligning municipal functions, powers, and finances according to the broad purposes of municipal governments;
- Provide the framework for organizing and structuring municipal legislation in a more clear and logical fashion; and
- Provide a statement of purpose that extends beyond general statements to include key principles about democracy, accountability, local preference, and community quality of life that are reaffirmed in other aspects of municipal governance, management, and legislation.

Uniformity or Variance in Municipal Purpose

▲ Consideration should be given to whether the purpose of the various categories or types of municipal governments should be uniform or variable.

▲ Consideration should be given to what the implications would be for, among other things, the functions and powers of various categories or types of municipal governments if their purpose were either uniform or variable.

▲ Giving consideration to whether the fundamental purpose of municipal governments should be uniform or variable has important implications for other facets of the municipal system. In particular, it has important implications for their functions and finances and their governance and management frameworks. This is a fundamental issue that needs to be addressed in conjunction with what are to be the fundamental purposes of municipal governments. Indeed, it is impossible to separate the two issues.

Municipal Functions

REVIEW AND REVIEW ALIGNMENT OF FUNCTIONS

▲ This section of the report profiles various issues, options, and potential directions regarding the functions (i.e., roles and responsibilities) of municipal governments.

▲ The central theme of this section is that there is a need for:
- Clarifying the core mandatory functions and core optional functions of all types of municipal governments.
- Clarifying the degree of uniformity and variance of the functional roles and responsibilities for all types of municipalities.

▲ Toward that end, it is suggested that consideration should be given to, among other things, the provincial and municipal governments undertaking a review of the following:
- The municipal functions (i.e., roles and responsibilities) that are currently being performed and those that should be performed in the future by various types and sub-types of municipal governments;
- The alignment of functions (i.e., roles and responsibilities) for various types and sub-types of municipal governments; and
- The alignment of roles and responsibilities for various functions between various types and sub-types of municipal governments and the provincial government.

▲ This section of the report suggests that the uniformity or degree of variation in the functions (i.e., roles and responsibilities) of municipal governments should be the primary criterion in determining important matters such as:
- The classification of municipal governments;
- The powers and duties (i.e., authority and autonomy) of municipal governments;
- Access to revenue sources both from 'own sources' and 'provincial transfers'; and
- The need for separate legislation for various types of municipalities or even for separate municipal charters for some individual municipalities if warranted.

Clarifying Optional and Mandatory Functions

▲ **Consideration should be given to listing all optional and mandatory municipal functions in one section of the core municipal legislation.**

▲ **Consideration should be given to using the 'Spheres of Jurisdiction' approach in classifying and listing municipal functions according to any or all of the following:**
- **The Purpose(s) of Municipal Governments;**
- **Optional versus Mandatory Functions;**
- **Sole Responsibility versus Shared Responsibility; and**
- **Local versus Regional Functions.**

▲ **Consideration should be given to making all 'functional areas' and 'spheres of jurisdiction' sufficiently broad to include all of the following:**
- **Matters provided, delivered, arranged, and/or supported by municipal governments;**
- **Matters subject to municipal regulation; and**
- **Other areas of optional or mandatory responsibility.**

▲ The proposed directions would help accomplish the following:
- Clearly and explicitly list the functions of various forms or types of municipal governments for the benefit of municipal and provincial officials, residents, and ratepayers without necessarily resulting in any realignment, downloading or uploading of functions.
- Provide the framework to categorize municipal functions in one designated section of legislation.
- Provide a general framework in which distinctions can be made regarding optional and mandatory functional areas.
- Provide the framework for distinguishing between areas of municipal responsibility, areas of provincial responsibility, and areas of shared responsibility.
- Provide the general functional framework in which specific municipal powers and duties can be allocated, either for individual functions or all functions.
- Provide the functional framework in which distinctions between municipalities can be made for financial or structural purposes.

IV. NATURE OF MUNICIPAL RENEWAL (CONT'D)

KEY ISSUE

Uniformity or Variance of Municipal Functions

KEY DIRECTIONS

▲ **Consideration should be given to producing a detailed assessment of the nature and scope of the degree of uniformity or variance in the following:**
- **The mandatory functions in core and related municipal legislation;**
- **The optional functions in core and related municipal functions; and**
- **The mandatory and optional functions actually performed by all municipal governments.**

▲ **Consideration should be given to the inclusion of explicit provisions in municipal legislation that clarify the degree of uniformity or variance of the functions and the corresponding roles and responsibilities of all municipalities.**

▲ **Consideration should be given to undertaking negotiations between municipal and provincial representatives to determine the degree of uniformity or variance that should exist both in statutes and in practice regarding the mandatory, optional functions and the corresponding roles and responsibilities of all municipalities.**

▲ **Consideration should be given to making uniformity or variation of functional roles and responsibilities among municipal governments the primary criterion in determining important matters such as:**
- **The powers and duties of municipalities;**
- **The autonomy of municipalities including the need for approvals;**
- **Provincial 'performance-based funding' for municipal governments;**
- **Additional sources of revenue for municipalities;**
- **The typology and classification of municipalities; and**
- **The need for separate legislation or charters for some municipalities.**

KEY RATIONALE

▲ The foregoing directions are based on the following considerations.

▲ The issue of the uniformity or variance in the functions and the corresponding roles and responsibilities of municipalities is of fundamental importance to the resolution of many other issues that must be addressed during the course of the municipal renewal initiative.

▲ At the moment it is very difficult, if not impossible, to determine the degree of uniformity or variance in the functions performed by various municipal governments.

▲ The lack of clarity in the existing degree of uniformity or variance in functions both at the statutory and practical levels makes it very difficult, if not impossible, to make appropriate decisions regarding the degree of uniformity and variance in other facets of municipal governance and municipal-provincial relations.

▲ The nature and degree of uniformity and variance not only in the mandatory or optional functions outlined in the municipal statutes, but also in the functions actually performed by various municipal governments, must be reviewed very carefully to ensure that they are based on sound reasons related to the needs and preferences of the communities they serve.

Realignment of Municipal Functions

▲ **Consideration should be given to undertaking a detailed review of all optional and mandatory municipal functions to determine the following:**
- **That the distinctions between optional and mandatory functions are appropriate and clear;**
- **That the alignment of optional and mandatory functions for each type and sub-type of municipality is appropriate and clear; and**
- **That the alignment of functions both between municipal and provincial governments, and between municipal governments and other local authorities is appropriate and clear.**

▲ **The review of municipal functions should take into account all of the following:**
- **Public expectations of municipal and provincial governments to perform certain functions;**
- **Fiscal realities and capacities of municipal and provincial governments;**
- **Future federal, provincial and other government initiatives;**
- **Demographic and social shifts in Saskatchewan;**
- **Services to property versus services to people; and**
- **New and innovative arrangements in public service delivery.**

▲ The proposed directions regarding the alignment of municipal functions are consistent with previous directions regarding the clarification of municipal roles and responsibilities and would result in the following:
- A resolution of any problems of overlap and misalignment that exist in the current alignment of functions.
- Improved municipal-provincial relations through the clarification of functional responsibilities.
- Improved relations between municipal governments and other local authorities responsible for key functions that affect local communities.
- Provide a clear, functional framework that is needed to review and harmonize both the frameworks for municipal authority and autonomy, and the fiscal relationships between municipal and provincial governments.

Municipal Powers

REVIEW AND RENEW ALIGNMENT OF POWERS

▲ This section of the report profiles various issues, options, and potential directions regarding the corporate, regulatory, service, and financial powers of municipal governments.

▲ The central theme of this section is that toward that end consideration should be given to undertaking a review of the following:
- The powers that various types and sub-types of municipal governments have today and the powers they should have in the future;
- The alignment of powers for each function between various types and sub-types of municipal governments and the provincial government;
- The degree of uniformity or variance that should exist in the corporate, regulatory, service, and fiscal powers of municipalities in light of the uniformity or variance in the functions (i.e., roles and responsibilities) of various types and sub-types of municipal governments.

KEY ISSUE

Powers of Municipal Governments

KEY DIRECTIONS

▲ **Consideration should be given to clarifying and enhancing the corporate, regulatory, service and financial powers of municipal governments subject to certain limitations and restrictions that are needed for safeguarding the provincial public interest, using all of the following:**
- **Broadening corporate powers;**
- **Including special governmental powers;**
- **Including 'natural person powers' in certain key areas of governance, management and administration such as agreements and contracts, buying and selling property, and employee management; and**
- **Including the 'spheres of jurisdiction' approach to delineating the regulatory and service provision powers of municipal governments.**

KEY RATIONALE

▲ The proposed directions regarding the corporate, regulatory, service and financing powers and duties of municipal governments would help accomplish the following:
- Clarify the nature of these powers and duties in relationship to both the general purpose and the general functions of municipal governments.
- Provide options for enhancing municipal powers and duties either in all or only in certain functional areas;
- Clarify the current functional alignment of powers and duties without necessarily changing the alignment;
- Provide all municipal governments with the flexibility, authority and responsibility to meet current and future needs of their communities in a timely manner;
- Address the concerns of municipal officials about specific provisions regarding enhanced powers in certain areas;
- Reduce the degree of prescription of municipal legislation; and
- Reduce the need for and involvement of provincial advisory services in certain corporate, regulatory and service matters of municipalities.

KEY ISSUE

Municipal Autonomy

KEY DIRECTIONS

▲ **Consideration should be given to including explicit provisions in municipal legislation that clarify both the provincial public interest and the provincial government's roles and responsibilities in municipal government matters, particularly regarding the following:**
- **Protecting individual and group rights;**
- **Protecting local and provincial public interest; and**
- **Ensuring provincial standards and guidelines.**

▲ **Consideration should be given to exploring various means of enhancing municipal autonomy, including the following:**
- **Reducing prescriptive nature of legislation;**
- **Reducing requirements for approval;**
- **Replacing requirements for approval with parameters within which municipalities do not require approval; and**
- **Reducing involvement of municipal agencies and departments in matters of clear municipal jurisdiction, such as municipal roads and streets, land use planning, and personnel matters.**

▲ **Consideration should be given to whether an increase in municipal autonomy requires a corresponding reduction in provincial support and advisory services for certain matters for which municipalities must be not only autonomous, but also accountable and responsible.**

KEY RATIONALE

▲ The proposed directions regarding the autonomy of municipal governments could accomplish the following:
- Balance enhanced municipal powers, authority and autonomy with enhanced municipal responsibility and a corresponding reduction in provincial support services and responsibility regarding municipal matters, except where warranted either by the local or provincial public interest, or by any individual and group rights.
- Allow municipal governments the freedom and flexibility to operate in their areas of jurisdiction within the general laws and regulations of the province that govern all individuals and corporations.
- Provide the framework for a clearer and less paternalistic relationship between municipal governments and the provincial government based on their stated roles and responsibilities.

▲ The proposed directions could also result in a substantial improvement regarding two key matters:
- Providing the provincial government with the means for protecting the provincial public interest and the rights of groups and individuals, and for establishing provincial standards and guidelines.
- Providing municipal governments with greater freedom to undertake appropriate initiatives in serving their communities.

Uniformity or Variance of Powers and Autonomy

▲ **Consideration should be given to producing a detailed assessment of the nature and scope of the degree of uniformity or variance in the powers and autonomy of municipal governments.**

▲ **Consideration should be given to including explicit provisions in municipal legislation that clarify the degree of uniformity or variance of the powers and autonomy of municipal governments.**

▲ **Consideration should be given to undertaking negotiations between municipal and provincial representatives to determine the degree of uniformity or variance that should exist in the powers and autonomy of municipal governments.**

▲ The proposed directions are consistent with previous directions regarding the uniformity and variance among municipal governments in other elements of the municipal system such as municipal purpose, status and functions.

▲ These directions are based on the following considerations:

- The issue of the uniformity or variance in the powers, duties and autonomy of municipalities should be contigent on the degree of the uniformity or variance in many other elements of the municipal system that must be addressed during the course of the municipal renewal initiative.
- At the moment it is very difficult, if not impossible, to determine the degree of uniformity or variance in the powers, duties and autonomy of various municipal governments.
- The lack of clarity in the existing degree of uniformity or variance in the powers, duties and autonomy of municipal governments both at the statutory and practical levels makes it very difficult, if not impossible, to make appropriate decisions regarding the degree of uniformity and variance in other facets of municipal governance and municipal-provincial relations.
- The nature and degree of uniformity and variance in the powers, duties and autonomy of municipal governments must be reviewed very carefully to ensure that they are based on sound reasons related to the needs and preferences of the communities they serve.

Municipal Finances

▲ This section of the report profiles various issues, options, and potential directions regarding the following facets of municipal finances.

1. Financial Powers of Municipal Governments
2. Additional Revenue Sources for Municipal Governments
3. Provincial Grants and Transfers to Municipal Governments

▲ The principal focus of this section is on whether any improvements can be made to the current financial framework for municipal governments by making changes in legislation to any of the following:
- The powers or authority of municipal governments to raise revenues from their own sources (own-source revenue);
- Additional means of own-source revenue generation for municipal governments; and
- Fiscal transfers from the provincial government.

▲ The major themes of this section are that consideration should be given to the relative merits of existing and alternative statutory provisions regarding the following matters:
- Explicitly defining the nature and scope of the existing revenue sources and the existing financial powers of municipal governments through various legislative means;
- Expanding the 'own source' revenues for municipal governments;
- Improving accounting, reporting, auditing and approvals practices; and
- Improving nature and scope of transparency and accountability in municipal-provincial fiscal relations.

Financial Powers

▲ **Consideration should be given to clarifying and enhancing the revenue sources and financial powers of municipal governments by introducing principles in legislation regarding these sources and powers relative to those of the provincial government and other local authorities.**

▲ **Consideration should be given to incorporating areas of own-source municipal revenue and the financial powers in these areas within broad spheres of municipal jurisdiction such as:**
- **Taxation of Property;**
- **Licenses, Fees, Service and Utility Charges;**
- **Municipal Investments; and**
- **Tax Enforcement and Collection.**

▲ **Consideration should be given to reducing the prescriptiveness of municipal legislation regarding certain financial matters such as internal accounting, management and reporting.**

▲ **Consideration should be given to the degree of autonomy that municipalities should should have in using "generally accepted accounting principles" for internal financial accounting, bookkeeping, auditing and statement preparation, rather than accounting systems prescribed by the province.**

▲ **Consideration should be given to the degree of authority that the Minister should have in prescribing forms or formats for standardized reporting to the province.**

▲ **Consideration should be given to reducing the nature and scope of provincial approvals for matters such as borrowing, operating deficits, and the use and transfer of capital reserves and surpluses, by replacing the general requirements for approval with requirements for approval only if the specified limits are exceeded.**

▲ **Consideration should be given to the relative merits of various measures to reduce the pressure on the municipal property tax base that have been implemented in other jurisdictions.**

▲ The Task Force's proposed directions are based on the following perspectives:
- Municipal governments should possess the means whereby they, rather than the provincial government, determine how to raise the requisite revenues from clearly defined sources to perform their functions and fulfil their purposes;
- Municipal finances should be derived as much as possible from municipalities' own choices regarding the nature and level of taxes, levies, and fees, rather than the provincial government's choices and limitations regarding these matters;
- Given the responsibility that municipal governments have for raising their own revenues, they should not be unduly encumbered by provincial regulations regarding the use of their revenue sources or the management of their finances; and
- The important consideration or condition that must be factored into arrangements regarding revenue sources and powers is the same as for other issues addressed in this report; namely that such arrangements should take into account differences in the functions and capacities of municipalities.

Additional Own-Source Revenue

▲ **Consideration should be given to exploring all possible options for expanding the "own source" revenues of municipal governments including any or all of the following:**
- **Alternative applications of property taxes;**
- **Expanded application of user fees, licenses, permits, administrative charges and for profit enterprises; and**
- **New and special purpose municipal taxes.**

▲ **Consideration should be given to the merits of adopting various measures for increasing the 'tax room' in the property tax base for municipal governments.**

▲ The exploration of opportunities and options for additional own-source municipal revenues has the potential to provide municipal governments with the following:
- Greater financial independence and stability by replacing provincial grants and transfers with independent and alternative sources of municipal revenue.
- Reduce or minimize the pressures on the property tax base created as a result of it being the principal source of taxation revenue both for municipalities and educational authorities.

Provincial Grants and Transfers

▲ **Consideration should be given to exploring improvements to the system of provincial grants and transfers by focusing on the following:**
- **Direct access to major provincial tax bases;**
- **Provincial-municipal revenue sharing; and**
- **Performance based funding.**

▲ The proposed directions would help achieve the following:
- Improve the relationship between the financial needs and the financial resources of municipal governments;
- Clarify and make explicit the municipal-provincial financial relationship, consistent with the clarification of the municipal-provincial relationship regarding status, functions, powers and autonomy; and
- Improve the functional and financial accountability within each level of government by matching and dedicating certain financial transfers to the performance of certain functional responsibilities.

Municipal Governance

▲ This section of the report profiles various issues, options, and potential directions regarding the following facets of municipal governance.

▲ The principal focus of this section is on whether the current municipal legislation contains adequate provisions and principles regarding key governance matters such as:
- Public participation in municipal governance;
- Municipal elections; and
- Appeal and approval mechanisms for municipalities and the public.

▲ The major theme of this section is that consideration should be devoted to incorporating the following into municipal statutes:
- Explicit principles regarding democratic governance;
- Explicit provisions regarding the general roles and responsibilities of municipal officials;
- Explicit provisions regarding public participation, access, and accountability;
- Modified provisions regarding elections processes and eligibility criteria;
- Modifying provisions regarding closed and open council meetings;
- Explicit provisions regarding 'counter-petitions';
- Establishing 'Municipal Ombudsman' office; and
- Modifying the role of the Municipal Board and the process for the selection of Board members.

General Statutory Provisions on Municipal Governance

▲ Consideration should be given to including the following in municipal legislation:
- **Principles related to democratic and accountable municipal governance;**
- **Provisions regarding the broad roles and responsibilities of elected municipal officials; and**
- **Provisions regarding public participation, public access and public accountability that are given higher profile and consolidated in one section of municipal legislation to improve public awareness regarding the roles and rights of ratepayers and residents in municipal governance.**

▲ Consideration should be given to enhancing public participation through the following types of means:
- **Explicit limitations on in-camera and closed council meetings;**
- **Council meetings via electronic means;**
- **Requirement for annual public meetings;**
- **Binding municipal questions, plebiscites and ratepayer approvals regarding certain matters; and**
- **'Counter-petitions' as a means of gauging public support or opposition in place of other restrictions and requirements for approval.**

▲ The proposed directions would help encourage and promote responsible, accountable, accessible and ethical municipal governance through the following:
- Increasing awareness and thinking about various key principles of municipal governance.
- Clarifying the broad roles and responsibilities of elected municipal officials in relation to the above key principles.
- Providing measures and benchmarks of accountability for residents, ratepayers, and elected and appointed municipal officials.

▲ The above directions would also encourage and promote greater public participation through the following:
- Simplifying and consolidating the relevant provisions regarding public participation in one easily referenced section of municipal legislation.
- Improving awareness among residents and ratepayers of the opportunities for public participation in municipal governance.

Municipal Elections

▲ Municipal and provincial governments should explore options for improving the municipal election system in Saskatchewan to increase public participation in voting and for contestist elections.

▲ Consideration should be given to the relative merits of all of the following:
- **One statute containing all provisions regarding municipal and other local elections.**
- **Consolidated and standardized election processes, procedures, and provisions regarding qualifications of voters.**
- **Standardized terms of office and election dates for all types of municipalities.**
- **Concurrent elections for municipal, health and education authorities.**
- **Changes to municipal legislation regarding the eligibility and qualifications of elected municipal officials.**

▲ The Task Force believes that the proposed directions should help to address a number of problems evident in the system of municipal elections:
- Voter apathy and confusion;
- Low turnout in all types of local elections (municipal, school, health);
- Confusion regarding election processes in different types of municipalities; and
- Limited number of candidates.

KEY ISSUE

Municipal Ombudsman Office(s)

KEY DIRECTIONS

▲ **Consideration should be given to the relative merits of establishing one or more offices of Municipal Ombudsman to ensure democratic municipal governance and sound municipal management in all municipal governments in the Province.**

▲ **Consideration should be given to the relative merits of creating an office of Municipal Ombudsman either as a stand alone office, or by expanding the jurisdictional authority and resources of the existing office of Provincial Ombudsman.**

▲ **Consideration should be given to the relative merits of authorizing individual municipalities to establish and resource their own Ombudsman Offices if they desire.**

▲ **Consideration should be given to the merits of a municipal-provincial partnership both in appointing and in funding a Municipal Ombudsman.**

KEY RATIONALE

▲ The proposed directions for establishing an office of Municipal Ombudsman could prove beneficial not only for ratepayers and residents but also for elected and appointed municipal officials. All of them could benefit from having an impartial agency that would perform two key functions:

- Reviewing appeals from ratepayers and residents regarding municipal policies, programs, and practices;
- Making recommendations both for resolving legitimate appeals and precluding the need for such appeals in the future by eliminating problematic elements of municipal policies, programs, and practices.

KEY ISSUE

Municipal Board

KEY DIRECTIONS

▲ **Consideration should be given to exploring options for enhancing the role of the Municipal Board in the following:**
- **Inter-municipal disputes in all areas of municipal governance;**
- **Reviewing and approving incorporation and annexation processes; and**
- **Initiating, reviewing and approving processes for municipal reversion, conversion and dissolution.**

▲ **Consideration should be given to exploring options for enhancing the role of municipal governments and/or associations in nominating members of the Municipal Board.**

KEY RATIONALE

▲ The proposed directions could provide the municipal sector with a Municipal Board that can perform an important role both in resolving disputes between municipalities and in facilitating municipal structuring and restructuring initiatives in the municipal sector.

Municipal Management

▲ This section of the report focuses on whether the current municipal legislation contains adequate provisions to ensure both sound public management and sufficient autonomy for municipal governments in managing their own affairs and assets and particularly their own employees.

▲ The major theme of this section is that consideration should be given reviewing statutory provisions regarding municipal management with special attention to the following matters:

- Adding explicit provisions that profile the principles of sound and ethical management;
- Incorporating provisions and principles in municipal legislation that broaden the nature and scope of municipal autonomy in the management of human resources, including:
  - Modifying statutory positions and duties of municipal employees;
  - Removing legislative requirements for certification of municipal employees; and
  - Reducing provincial involvement in the certification of municipal employees.

General Statutory Provisions on Municipal Management

▲ **Consideration should be given to including the following in municipal legislation:**

- **Broad principles regarding responsible and sound public management; and**
- **Specific provisions regarding the broad roles and responsibilities of appointed municipal officials.**

▲ The proposed directions would help encourage and promote the principle of responsible and sound public administration and management in the municipal government sector through the following:

- Increasing awareness and thinking about various key principles of municipal management;
- Clarifying the broad roles and responsibilities of appointed municipal officials in relation to the above key principles; and
- Providing measures and benchmarks of accountability for residents, ratepayers, the general public, and elected and appointed municipal officials.

Management of Human Resources

▲ **Consideration should be given to:**

- **Enhancing municipal autonomy and reducing provincial involvement in the management of municipal human resources;**
- **Modifications to the statutory positions and duties of municipal employees to maintain and improve upon the flexibility of internal administrative arrangements, structures, job descriptions and reporting requirements, while ensuring sound public management;**
- **Assessing whether the legislative requirements regarding the certification of municipal administrators are ensuring sound public management or are creating barriers not only to municipal autonomy in the hiring of employees but also to joint administration, inter-municipal cooperation or voluntary amalgamation; and**
- **Reducing provincial involvement in the certification of municipal employees consistent with a reduction in provincial involvement in other areas of municipal responsibility.**

▲ The proposed directions are consistent with calls for renewal to other elements of the municipal system particularly those regarding:

- Enhanced municipal autonomy over matters and areas within their sole jurisdiction such as matters of an internal or corporate nature;
- Broader corporate powers or natural person powers within spheres of municipal jurisdiction; and
- Reduced provincial involvement in municipal matters including reduced approvals.

Municipal Classification

▲ This section of the report addresses two key issues regarding the forms of local municipal governments in Saskatchewan:

1. Classification of Municipal Governments
2. Incorporation Criteria for Municipal Governments

▲ The major theme of this section is that consideration should be given to the continuing relevance of the current municipal classification categories and criteria. More specifically, the major theme is that the classification of municipal governments should be reviewed and possibly renewed to ensure that it serves 'substantial purposes', rather than merely symbolic ones. The types and sub-types of municipalities within the classification framework should be based on 'substantial distinctions' that must be made between them for 'substantial purposes' such as:

- Substantial differences in the nature and scope of the functions that each type or sub-type of municipality will perform;
- Substantial differences in the fiscal and organizational capacities of municipalities to perform those functions;
- Substantial differences in the powers (i.e., authority and autonomy) that each type or sub-type will have; and
- Substantial differences in the types of communities being governed.

Classification of Municipal Governments

▲ Consideration should be given to reviewing the existing municipal classification framework to determine precisely how useful it is, and how useful it will continue to be in the future, for making 'substantial distinctions for substantial purposes' that are required for the effective operation of the municipal system.

▲ Consideration should be given to the merits of retaining the threefold classification of rural, urban and northern municipalities, but consolidating the sub-types contained within the general types of urban municipalities and northern municipalities.

▲ Consideration should be given to the merits of adding to the classification framework regional types and sub-types of municipalities or authorities that may operate on either a one-tier, a two-tier basis, or both.

KEY RATIONALE

▲ The proposed directions would contribute to the following:
- An appreciation on everyone's part of the extent to which the current classification framework is useful for their respective purposes in making 'substantial distinctions for substantial purposes' required for the effective operation of the municipal system;
- Reveal whether the current classification framework is or is not appropriate;
- Indicate what type a modified classification framework, if any, is necessary both for municipal and provincial governments in making 'substantial distinctions for substantial purposes' that are required for the effective operation of the municipal system; and
- Developing appropriate criteria for each type or sub-type of municipality that would ensure both that:
  - There would be 'substantial distinctions for substantial purposes' at the core of the classification framework; and
  - The incorporation, reversion, or dissolution of various types and sub-types of municipalities would be well founded and serve some important or substantial purposes.

KEY ISSUE

Incorporation Criteria for Municipal Governments

KEY DIRECTIONS

▲ Consideration should be given to reviewing the incorporation criteria for all types and sub-types of municipalities and other municipal entities (i.e., organized hamlets and hamlets) to determine whether they make 'substantial distinctions for substantial purposes' that are required for the effective operation of the municipal system.

▲ Consideration should be given to the merits of changing the incorporation criteria for all urban municipalities with a special focus on:
- **Minimum population base;**
- **Minimum assessment base; and**
- **Minimum geographic base.**

▲ Consideration should be given to the merits of establishing criteria for the incorporation of rural and/or regional municipalities comparable to that of other urban municipalities in this province and rural municipalities in other jurisdictions with a special focus on:
- **Minimum population base;**
- **Minimum assessment base; and**
- **Minimum geographic base.**

▲ Consideration should be given to the merits of developing a decision-making mechanism and process for ensuring the appropriate and timely application and enforcement of incorporation criteria for all types and sub-types of municipalities.

- The proposed directions could contribute to developing appropriate incorporation criteria categories and thresholds for each category of municipalities. In turn, this could result in a classification framework of municipalities that would provide provincial and municipal governments and the public with a classification framework that makes 'substantial distinctions for substantial purposes' among different types and sub-types of municipalities. The development of appropriate criteria could contribute to more rational and sound decisions regarding rather important matters such as the authority, criteria, and conditions for municipal incorporation, reversion, dissolution, annexation, and amalgamation.

- Of course, the development of appropriate criteria may not be enough. Appropriate incorporation criteria may also have to be applied and enforced in an appropriate and timely manner if it is to contribute both to the capacity of individual municipalities to perform their functions and fulfill their purposes, and the effective operation of the municipal system as a whole.

- In developing a classification framework and the incorporation criteria for municipalities, special consideration should be given to issues of municipal and community 'stress', 'capacity', and 'viability'.

- For a full appreciation of this point it would be useful for those involved in the renewal process to consider devoting special attention to given to the following publication: John A. Marshall, and David J.A. Douglas. ***The Viability of Canadian Municipalities: Concepts and Measurements.*** [Toronto: ICURR, 1997).

- As the authors of that report note: "...as Canada's local governments grapple with the daunting changes that are facing them, this report may prove to be a valuable springboard from which to launch productive debates."

- That publication explores various issues related to the concepts of community and municipal 'stress', 'capacity' and 'viability", all of which are important in considering the current and future state of Saskatchewan's communities and municipalities.

- That publication underscores the importance of the inextricable linkage between financial, governance, and community capacity and viability. Four key chapters in that study deal, in turn, with: 'Financial Viability', 'Governance Viability', 'Community Viability', and 'Municipal Viability'.

IV. NATURE OF MUNICIPAL RENEWAL (CONT'D)

▲ Particularly noteworthy in the chapter that deals with the concept of 'Municipal Viability' is the section on determinants of viability that highlights the following:

- General societal attitudes to government;
- Provincial constitutional obligations;
- Program responsibilities and expectations;
- Intergovernmental environment and relationships;
- Community consent and shared values and needs;
- Ability to sustain the local council;
- Ability to provide an acceptable range and quality of affordable services; and
- Willingness and ability to finance governance and services.

▲ Also noteworthy is the authors' suggestion that governments consider using the foregoing conceptual framework in creating a 'Capacity/Viability Assessment Protocol' that is able to take into account the contextual factors unique to their particular jurisdiction, despite the challenges that they might encounter in doing so. In their words:

> *"The complex interaction and dynamics that take place within and between the components of the framework preclude the advancement of any definitive universally applicable protocol for analysis and assessment. We may never have definitive and quantifiable answers. Despite these inherent limitations, as this framework develops, it should prove useful in assessments of general directions and trends of municipal viability."* (p. 73)

▲ In summary, a classification scheme for local municipal governments in Saskatchewan should be able to provide provincial and municipal governments and the public with a framework that makes 'substantial distinctions for substantial purposes' in the 'Nature of Communities', the 'Capacity of Communities', and the 'Functions and Capacities of Municipalities'.

Municipal Processes

▲ This section of the report focuses on five key processes related to municipal governance:
- Incorporation processes
- Reversion processes
- Dissolution processes
- Annexation processes
- Amalgamation processes

▲ In examining each of those five processes, the principal focus is on issues and options related to:
- Authority frameworks for such processes; and
- Criteria and conditions for such processes.

▲ The common themes running through the review of the issues, options and potential directions related to each of those processes are that:
- The authority frameworks must be clarified to eliminate any confusion of legal and political responsibility for each process;
- The criteria and conditions should be explicit; and
- The criteria and conditions should be applied and enforced in an appropriate and timely manner.

▲ This section of the report builds on the work of the Municipal-Provincial Roundtable in two ways:
- It examines certain aspects of the amalgamation process that to date have not been addressed fully by the Roundtable; and
- It examines the incorporation, dissolution, and reversion processes that to date have probably not been dealt with in detail by the Roundtable.

Municipal Processes: Incorporation

Authority to Initiate Incorporation

▲ **Consideration should be given to:**

- **Whether statutory provisions regarding the authority for initiating municipal incorporation of various types and sub-types of municipalities should be uniform; and**
- **Whether there should be any changes to the authority (i.e., roles and responsibilities) of the following in initiating municipal incorporation of various types and sub-types of municipalities:**
  - **Municipal Electors,**
  - **Municipal Councils,**
  - **Municipal Minister, and**
  - **Other(s).**

Objecting to Incorporation

▲ **Consideration should be given to:**

- **Whether statutory provisions for objections to municipal incorporation proposals should be the same for all types of municipalities;**
- **Whether there should be any changes to the authority (i.e., roles and responsibilities) of any of the following for registering objections to incorporation proposals:**
  - **Municipal Electors,**
  - **Municipal Councils,**
  - **Municipal Minister, and**
  - **Other(s).**

- **Whether municipal legislation should stipulate that public consultations on a proposed incorporation will entail:**
  - **Publication of notice of the proposal,**
  - **The holding of public meetings on the proposal, and**
  - **Reporting to the Minister the results of public meeting;**

- **Whether legislation should authorize the ministers responsible for municipalities to invite comments from any authority or individual that they feel could be affected by an incorporation process; and**
- **Whether plebiscite or referendum votes resulting from objections to incorporation proposals should be required only if significant objections regarding an incorporation proposal warrant such votes.**

KEY ISSUE

Approving Incorporation

KEY DIRECTIONS

▲ **Consideration should be given to:**

- **Whether statutory provisions regarding authority for final approval of incorporation should be uniform for all types and sub-types of municipalities; and**
- **Whether there should be any changes to the authority of any of the following for approving incorporation proposals:**
  - **Municipal Electors,**
  - **Municipal Councils,**
  - **Municipal Minister, and**
  - **Other(s).**

KEY ISSUE

Degree of Discretion in Authority for Incorporation

KEY DIRECTIONS

▲ **Consideration should be given to:**

- **Whether the degree of discretion for incorporation should be the same for all types and sub-types of municipalities;**
- **Whether provisions are needed on the degree of discretion that may be exercised for incorporation; and**
- **Whether the degree of discretion for incorporation should be minimized.**

Municipal Processes: Dissolution

KEY ISSUE

Initiating Dissolution

KEY DIRECTIONS

▲ **Consideration should be given to:**

- **Whether statutory provisions regarding who may initiate municipal dissolution for the different types and sub-types of municipalities should be uniform; and**
- **Whether any change is required to the authority (i.e., roles and responsibilities) of the following in initiating the dissolution of any types or sub-types of municipalities:**
  - **Municipal Electors,**
  - **Municipal Councils, and**
  - **Municipal Minister.**

KEY ISSUE

Objecting to Dissolution

KEY DIRECTIONS

▲ **Consideration should be given to:**

- **Whether statutory provisions for objections to municipal dissolution proposals for all types and sub-types of municipalities should be uniform;**
- **Whether there should be any changes to the authority (i.e., roles and responsibilities) of any of the following for registering objections to dissolution proposals:**
  - **Municipal Electors,**
  - **Municipal Councils, and**
  - **Municipal Minister;**
- **Whether municipal legislation should stipulate that public consultations on a proposed dissolution will entail:**
  - **Publication of the notice of proposal,**
  - **The holding of public meetings on the proposal, and**
  - **Reporting to the Minister results of public meeting;**
- **Whether legislation should allow ministers responsible for municipalities to invite comments from any authority or individual that they believe could be affected by a dissolution; and**
- **Whether plebiscite or referendum votes resulting from objections to dissolution proposals should be required only if significant objections regarding an incorporation proposal warrant such votes.**

KEY ISSUE

Approving Dissolution

KEY DIRECTIONS

▲ **Consideration should be given to:**

- **Whether statutory provisions regarding the authority for approving the dissolution of all types and sub-types of municipalities should be uniform; and**
- **Whether there should be any changes to the authority framework for approving the dissolution of municipalities.**

KEY ISSUE

Degree of Discretion in the Authority for Dissolution

KEY DIRECTIONS

▲ **Consideration should be given to:**

- **Whether the degree of discretion regarding municipal dissolution should be minimized.**
- **Whether municipal legislation should include provisions that prescribe the following:**
  - **Acceptable ranges of deviation from incorporation criteria and/or dissolution criteria,**
  - **Timeframes for monitoring deviation from incorporation criteria and/or dissolution criteria,**
  - **Timeframes for applying and enforcing dissolution criteria, and**
  - **The mechanisms and instruments to be used in the dissolution process;**
- **Whether there should be a statutory requirement that those municipalities that no longer meet their incorporation criteria, and for whom reversion to a different type or sub-type is not an option, should be dissolved within a specified timeframe.**

Criteria & Conditions for Dissolution

▲ **Consideration should be given to:**

- **Whether there should be standard and relatively uniform set of criteria or conditions for the dissolution all types and sub-types of municipalities; and**
- **Whether there should be a statutory provision requiring that a feasibility report must be produced prior to the dissolution of any municipality.**

Municipal Processes: Reversion

Initiating Reversion

▲ **Consideration should be given to:**

- **Whether the authority framework for who is authorized to initiate a municipal reversion should be relatively uniform for the different types and sub-types of municipalities; and**
- **Whether there should be any changes to the authority (i.e., roles and responsibilities) of each of the following in initiating municipal reversion:**
  - **Municipal Electors,**
  - **Municipal Council, and**
  - **Municipal Minister;**

Objecting to Reversion

▲ **Consideration should be given to:**

- **Whether statutory provisions regarding objections to municipal reversion proposals should be the same for all types of municipalities.**
- **Whether any changes are required to the authority (i.e., roles and responsibilities) of the each of the following in objecting to the reversion of any municipalities:**
  - **Municipal Electors,**
  - **Municipal Council, and**
  - **Municipal Minister;**
- **Whether municipal legislation should continue to provide for public consultations concerning a reversion proposal that entail:**
  - **Publication of notice of intent to revert,**
  - **Public meetings to discuss the reversion proposal, and**
  - **Report to the Minister on public meetings;**
- **Whether municipal ministers should be authorized or required to invite comments from any authority or individual they believe might be affected by a reversion; and**
- **Whether plebiscite or referendum votes resulting from objections to reversion proposals should be required only if significant objections regarding an incorporation proposal warrant such votes.**

KEY ISSUE

Approving Reversion

KEY DIRECTIONS

▲ Consideration should be given to:

- **Whether statutory provisions regarding the authority for approving the reversion of all types and sub-types of municipalities should be the same; and**
- **Whether there should be any changes to the authority for approving the reversion of municipalities.**

KEY ISSUE

Degree of Discretion in Authority for Reversion

KEY DIRECTIONS

▲ Consideration should be given to:

- **Whether the degree of discretion in approving the reversion of any municipalities should be minimized; and**
- **Whether there should be statutory provisions for reversion comparable to those for dissolution regarding :**
  - **Acceptable ranges of deviation from incorporation criteria,**
  - **Timeframes for monitoring deviation from the incorporation criteria,**
  - **Timeframes for applying and enforcing criteria and conditions for reversion, and**
  - **The mechanisms and instruments to be used in the dissolution process.**

KEY ISSUE

Criteria and Conditions For Reversion

KEY DIRECTIONS

▲ Consideration should be given to:

- **Whether there should be a standard and relatively uniform set of reversion criteria or conditions for the reversion all types and sub-types of municipalities; and**
- **Whether there should be a statutory provision requiring that a feasibility report must be produced prior to the reversion of any municipality.**

Municipal Processes: Annexation

KEY ISSUE

Initiating Annexation

KEY DIRECTIONS

▲ **Consideration should be given to:**

- **Whether the authority for initiating an annexation process for various types and sub-types of municipalities should be uniform; and**
- **Whether there should be any changes to the authority (i.e., roles and responsibilities) of the following in initiating the annexation involving various types and sub-types of municipalities:**
  - **Municipal Electors,**
  - **Municipal Council,**
  - **Municipal Minister, and**
  - **Other(s).**

KEY ISSUE

Objecting to Annexation

KEY DIRECTIONS

▲ **Consideration should be given to:**

- **Whether statutory provisions regarding objections to municipal annexation proposals should be the same for all types and sub-types of municipalities;**
- **Whether any changes are required to the authority (i.e., roles and responsibilities) of the each of the following in objecting to any annexation initiatives of any municipalities:**
  - **Municipal Electors,**
  - **Municipal Council, and**
  - **Municipal Minister;**
- **Whether municipal legislation should contain provisions for public consultations on annexation proposals that entail:**
  - **Publication of notice of intent to annex,**
  - **Public meetings to discuss the annexation proposal,**
  - **Report to the Minister on public meetings, and**
  - **Potential review by Saskatchewan Municipal Board;**
- **Whether municipal ministers should be authorized or required to invite comments from any authority or individual they believe might be affected by an annexation; and**
- **Whether plebiscite or referendum votes resulting from objections to annexation proposals should be required only if significant objections regarding an incorporation proposal warrant such votes.**

KEY ISSUE

Approving Annexation

KEY DIRECTIONS

▲ **Consideration should be given to:**

- **Whether statutory provisions regarding the authority for approving the annexation of any types and sub-types of municipalities should be uniform; and**
- **Whether there should be any changes to the authority for approving the annexation of any types or sub-types of municipalities.**

Municipal Processes: Amalgamation

KEY ISSUE

Initiating Amalgamation

KEY DIRECTIONS

▲ **Consideration should be given to:**

- **Whether the authority for initiating an amalgamation process for various types and sub-types of municipalities should be uniform; and**
- **Whether there should be any changes to the authority (i.e., roles and responsibilities) of the following in initiating the amalgamation process involving various types and sub-types of municipalities:**
  - **Municipal Electors,**
  - **Municipal Council,**
  - **Municipal Minister, and**
  - **Other(s).**

KEY ISSUE

Objecting to Amalgamation

KEY DIRECTIONS

▲ **Consideration should be given to:**

- **Whether statutory provisions for objections to municipal amalgamation proposals should be the same for all types and sub-types of municipalities;**
- **Whether there should be any changes to the authority (i.e., roles and responsibilities) of any of the following for registering objections to amalgamation proposals:**
  - **Municipal Electors,**
  - **Municipal Councils,**
  - **Municipal Minister, and**
  - **Other(s).**
- **Whether municipal legislation should stipulate that public consultations on a proposed amalgamation will entail:**
  - **Publication of notice of the proposal to dissolve,**
  - **The holding of public meetings on the proposal, and**
  - **Reporting to Minister results of public meeting;**
- **Whether legislation should allow ministers responsible for municipalities to invite comments from any authority or individual that they believe could be affected by an amalgamation; and**
- **Whether plebiscite or referendum votes resulting from objections to amalgamation proposals should be required only if significant objections regarding an amalgamation proposal warrant such votes.**

KEY ISSUE

Approving Amalgamation

KEY DIRECTIONS

▲ Consideration should be given to:

- **Whether statutory provisions regarding the authority for approving the amalgamation of all types and sub-types of municipalities should be uniform; and**
- **Whether any changes should be made to the authority framework for approving the amalgamation of all types and sub-types of municipalities.**

KEY ISSUE

Degree of Discretion in Authority for Amalgamation

KEY DIRECTIONS

▲ Consideration should be given to:

- **Whether the degree of discretion regarding municipal dissolution should be minimized; and**
- **Whether there should be a statutory requirement that those municipalities that no longer meet their incorporation criteria, and for whom reversion to a different type or sub-type of municipality is not an option, should be dissolved and amalgamated with neighbouring municipalities within a specified timeframe.**

KEY ISSUE

Criteria & Conditions for Amalgamation

KEY DIRECTIONS

▲ Consideration should be given to:

- **Whether municipal legislation should include both minimum incorporation criteria and minimum capacity requirements that would be relevant for amalgamated municipalities;**
- **Whether municipal legislation should include provisions that stipulate that a review of 'minimum criteria and capacity' would have to be undertaken to determine whether dissolution and amalgamation would be a prudent option either:**
  - **When local or regional municipalities do not meet the basic incorporation criteria, or**
  - **When they do not have the requisite capacity to perform their functions without considerable outside assistance.**

IV. NATURE OF MUNICIPAL RENEWAL (CONT'D)

KEY RATIONALE

▲ The proposed directions in the five key municipal processes outlined in this section of the report (i.e., incorporation, reversion, dissolution, annexation and amalgamation) would help accomplish the following:

- Clarify the roles and responsibilities of Municipal Electors, Municipal Councils, and the Municipal Ministers in relation to each of the five processes.
- Make explicit in municipal legislation the authority to initiate, object to, and approve each of the five processes.
- Standardize the authority and the processes to initiate, object to, and approve each of those five processes by removing unnecessary differences in the same processes for different types of municipalities.
- Clarify and make explicit the criteria and conditions that apply for all five municipal processes.
- Improve awareness and understanding of the authority and processes for incorporation, dissolution, reversion, annexation and amalgamation among elected and appointed municipal officials and the general public.
- Make processes more consistent with proposed directions regarding simplifying legislation and improving democratic governance and public participation.
- Remove some important impediments to voluntary restructuring.

▲ These processes have been and will continue to be of fundamental importance for everyone in Saskatchewan. Indeed, they are becoming increasingly important on a daily basis as communities and municipalities in this province are affected by various economic and demographic trends that are changing the landscape of this province. Some will continue to be affected primarily by the positive effects of such trends, and others will continue to be affected primarily by the negative effects of such trends. Improving the five processes outlined in this section of the report may improve the chances of improved coordination and cooperation between those experiencing the positive effects and those experiencing the negative effects of such changes.

Municipal Regional Governance

Establishing Enabling Legislation

▲ This section of the report examines the potential directions for establishing an 'enabling statutory framework' for municipal regional governance in Saskatchewan that would be required to foster and facilitate municipal regional governance in this province. Toward that end, this section of the report examines the statutory frameworks of other provinces with special attention to the types of provisions contained therein regarding, among other things, the following:

- Structural Frameworks
- Organizational Frameworks
- Functional Frameworks
- Financial Frameworks
- Processes Frameworks

IV. NATURE OF MUNICIPAL RENEWAL (CONT'D)

Review and Renew Regional Governance Frameworks

▲ The objective in this section of the report is **not** to produce and support a particular model of the nature or form of regional governance. Rather, the objective is twofold:
- First, to propose the creation of a **statutory framework** that contains the requisite provisions and principles on the processes for the creation and dissolution of regional governments or authorities.
- Second, to profile some alternative **models of regional governance** that exist in other provinces that may provide useful models for considering appropriate 'parameters' for various aspects of regional forms of municipal governance in this province.

▲ In other words, this section of the report merely provides the 'building blocks' both for the statutory foundation for regional governance in the future, and for designing actual models of regional governance.

▲ The precise nature or form of both the statutory framework and of any regional governance will be the product of how the municipal and provincial governments and the voters choose to use those building blocks.

▲ This section of the report is a logical extension of the document produced by the Municipal-Provincial Roundtable involving the provincial government, SARM and SUMA, titled *'Impediments to Voluntary Restructuring,'* the object of which was both to profile existing impediments and to outline various options and items for further discussion.

▲ Whereas that report envisions eliminating some statutory obstacles to amalgamation, however, this section contains useful materials for developing a more comprehensive statutory basis on the 'processes' and 'parameters' for the creation and operation of formal and institutionalized regional municipal governments and regional authorities.

▲ The key themes in this section are as follows:
- Saskatchewan has systems of regional governance that perform valuable functions;
- Consideration should be given to whether Saskatchewan could improve on those systems of regional governance; and
- Consideration should be given to whether it would be useful to develop statutory frameworks for 'regional municipal governance' that would supplement, rather than supplant, the existing statutory frameworks for 'local municipal governance'.
- The principal focus in this section is on six sets of issues and directions:
  - Statutory Basis of Regional Governance
  - Processes of Regional Governance
  - Focus of Regional Governance
  - Functional Frameworks of Regional Governance
  - Governing/Management Frameworks of Regional Governance
  - Financial Frameworks of Regional Governance

KEY ISSUE

Statutory Basis for Regional Governance

KEY DIRECTIONS

▲ **Consideration should be given to the merits of providing an explicit statutory basis for regional municipal governance by including provisions in municipal legislation sanctioning the creation of regional municipal governments and authorities and the processes and means for doing so comparable to that of other jurisdictions.**

▲ **Consideration should be given to the merits of using one of the following statutory mechanism for providing the statutory basis to regional governance:**

- **A special section of a general municipal act;**
- **A special act for regional governments and authorities; or**
- **A special act for regional government/authority charter for each regional entity.**

▲ **Consideration should be given to the relative merits of the statutory basis for sanctioning the creation of regional municipal governments and authorities that exists in other jurisdictions as potential models for Saskatchewan.**

KEY ISSUE

Processes for Regional Governance

KEY DIRECTIONS

▲ **Consideration should be given to the nature of provisions and principles that should be included in the municipal statutory framework regarding the processes for the incorporation, dissolution, annexation, and amalgamation of regional governments and authorities wherever and whenever it is deemed appropriate or necessary.**

▲ **Consideration should be given to the merits of including provisions and principles in the municipal statutory framework regarding the roles and responsibilities of each of the following in incorporating, dissolving, annexing, or amalgamating regional municipal governments or authorities:**

- **Local municipal electors,**
- **Local municipal councils,**
- **Provincial minister,**
- **Provincial cabinet, and**
- **Provincial legislature.**

▲ **Consideration should be given to the relative merits of the processes for incorporating, dissolving, annexing, and amalgamating regional municipal governments and authorities that exist in other jurisdictions as potential models for Saskatchewan.**

IV. NATURE OF MUNICIPAL RENEWAL (CONT'D)

KEY ISSUE

Forms of Regional Governance

KEY DIRECTIONS

▲ **Consideration should be given to including provision and principles in municipal legislation regarding the general forms or types of regional governments or authorities that may be created, including the following:**
- **One-tier regional governments or authorities;**
- **Two-tier regional governments or authorities; or**
- **Both one-tier and two-tier regional governments or authorities.**

▲ **Consideration should be given to the relative merits of the forms or types of regional governments and authorities that exist in other jurisdictions as potential models for Saskatchewan.**

KEY ISSUE

Functional Frameworks for Regional Governance

KEY DIRECTIONS

▲ **Consideration should be given to including provisions and principles in municipal legislation indicating what functions regional municipal governments or authorities may perform including, for example, the following sets of general functions:**
- **Planning and Development Functions**
  - **Land Use Planning & Development**
  - **Transportation Planning and Development**
  - **Economic Planning and Development**
- **Service Delivery Functions**
  - **Water, sewer, waste disposal**
  - **Emergency and Protective Services**
  - **Community Services**
- **Regulatory Functions**
  - **Building & Fire Standards**
  - **Licensing & Bylaw Enforcement**
- **Financial Functions**
  - **Assessment and Taxation**

▲ **Consideration should be given to the relative merits of the functional frameworks for regional governments and authorities that exist in other jurisdictions as potential models for Saskatchewan.**

Key Issue

Governing/Management Frameworks for Regional Governance

Key Directions

▲ **Consideration should be given to including provisions and principles in municipal legislation regarding matters related to the governing and management for regional governments and authorities such as:**
- **The size of regional councils and boards,**
- **The composition of regional councils and boards,**
- **The selection of regional councils and boards, and**
- **The management frameworks for regional councils and boards.**

▲ **Consideration should be given to the relative merits of the governing and management frameworks for regional governments and authorities that exist in other jurisdictions as potential models for Saskatchewan.**

Key Issue

Financial Frameworks for Regional Governance

Key Directions

▲ **Consideration should be given to including provisions and principles in the municipal statutory framework regarding the means by which regional governments or authorities may be financed including, for example, the following general means:**
- **Requisitions from local municipal councils;**
- **Requisitions from other local authorities;**
- **Special taxes and levies;**
- **Provincial-municipal tax sharing arrangements;**
- **Provincial-municipal revenue-sharing; and**
- **Provincial transfers.**

▲ **Consideration should be given to the relative merits of the financial frameworks for regional governments and authorities that exist in other jurisdictions as potential models for Saskatchewan.**

Key Rationale

▲ The proposed directions could provide Saskatchewan with an enabling statutory framework for regional governance comparable to that of other provinces that would supplement, rather than supplant the existing statutory framework for local municipal governance.

▲ The precise nature of that framework would depend on the decisions made by municipal and provincial officials in consultation with those whom they represent regarding the type of statutory framework that would be deemed appropriate for Saskatchewan.

▲ Such an enabling statutory framework could provide communities with the means to make important decisions regarding appropriate governance frameworks among neighbouring communities with in various regions that could have major consequences for their future. Everyone would know the 'processes and parameters' for creating regional governments.

▲ Such an enabling statutory framework would create greater clarity and certainty regarding the 'processes and parameters' for creating, operating, financing, and dissolving regional governments.

PART TWO

Options 2000:

Northern Municipal Sector

Summary of Final Report

1. INTRODUCTION

Focus of Report

Northern Municipal Sector

▲ This report focuses on the need for and nature of municipal renewal within the Northern Administration District in Saskatchewan. A separate report has been produced on the need for and nature of municipal renewal for the rural and urban municipal sectors in southern Saskatchewan.

▲ Nevertheless, some of the issues, options, and potential directions profiled in this report may have some relevance for the rural and urban municipal sectors. Similarly, some of the issues, options, and potential directions profiled in the report on the rural and urban sectors may have some relevance for the northern sector.

▲ The reason for this is that despite some significant differences between some northern and southern communities and municipal governments (e.g., geographic proximity and transportation links to neighbouring municipalities), they also have some significant similarities. This is particularly true in terms of their basic needs for both community and municipal governmental capacity building as they enter the 21st century.

Purpose of Report

Stimulate Thinking

▲ The purpose of the report is to stimulate thinking on the following:
- The requirements for municipal renewal;
- The need for municipal renewal; and
- The nature of municipal renewal.

Framework & Building Blocks for Renewal, Not Blueprints

▲ Toward that end this report provides:
- An overview of requirements for achieving municipal renewal;
- An overview of the factors that create the need for renewal; and
- A detailed 'framework of issues, options, and potential directions' that should be considered in undertaking municipal renewal.

▲ In producing a ***'framework of issues, options and potential directions'*** the objective is to produce the ***'building blocks'*** for municipal renewal.

▲ The objective of this report **is not** to produce the ***'blueprints'*** for renewal. Producing the ***'blueprints'*** for municipal renewal is the role and responsibility of local and provincial governments and the communities they serve through various decision-making processes. The Task Force's role and responsibility is to ensure that all stakeholders who will be involved in various renewal decision-making processes have a document that identifies many of the key issues and options that should be considered in producing those ***'blueprints'***.

Bases of Report

▲ This report is based on the issues, options, and potential directions for municipal renewal that emerged from the following:
- Task Force's consultations with leaders and members of Northern communities on such matters;
- Previous reports on Northern municipal governance and development on such matters; and
- Task Force's thinking on such matters.

Contributions to Report

▲ This report is the product of the thoughts and efforts of many people in the Northern Administration District, and not merely those of the Task Force members.

▲ The Task Force sincerely appreciates the interest and commitment demonstrated during the review process by the following:
- ratepayers and residents of various communities;
- municipal governments and their officials;
- various organizations and their officials;
- various provincial government departments and their officials; and
- various members of the media.

▲ Although the Task Force has had the priviledge and responsibility of producing this report, it could not have done it without the strong and generous support and dedication of all the aforementioned people.

II. NEED FOR AND VIEWS ON RENEWAL

Need for Municipal Renewal

FOCUS ▲ This part of the report focuses on the need for municipal renewal.

THEMES ▲ This part of the report underscores that there is a substantial, pressing and continuing need for municipal renewal stemming from the following:

(a) The factors and trends affecting Northern communities which include:
- Geographic factors and trends,
- Demographic factors and trends,
- Educational factors and trends,
- Labour Market factors and trends, and
- Socio-Economic factors and trends;

(b) The needs of communities which include:
- Infrastructure needs (e.g., water, sewer, waste, and transportation),
- Housing needs, and
- Community services needs (e.g., recreation, leisure, family support services, social services);

(c) The needs of municipal governments which include:
- Financial resources needs,
- Human resources needs, and
- Jurisdictional resources needs.

Views of Northerners on Municipal Renewal

▲ This part of the report provides an overview of the major issues noted by Northerners during the Task Force's consultation processes regarding the need for and the nature of municipal renewal.

(a) Views on Needs of Northern Municipalities
- Views on Financial Needs
- Views on Human Resource Needs
- Views on Jurisdictional Needs
- Views on Other Municipal Government Needs

(b) Views on Needs of Northern Communities
- Views on Infrastructure Needs
- Views on Community Services Needs
- Views on Economic Development Needs
- Views on Other Community Needs

▲ There are several central themes running through this section of the report.

▲ Northerners believe that their municipal governments have the following sets of needs:
- Financial Needs (i.e., more revenues);
- Human Resource Needs (i.e., more staffing);
- Jurisdictional Needs (i.e., more authority and autonomy); and
- Other Municipal Government Needs (e.g., clarity of rights and boundaries, resolution of land claims, and consolidation of provincial sector, increased organizational capacity of municipal associations).

▲ Northerners believe that their communities have the following sets of needs:
- Infrastructure Needs (e.g., water, sewer, garbage, roads, etc.);
- Community Services Needs (e.g., recreation, leisure, family, housing, etc.);
- Economic Development Needs (e.g., industry, investment, etc.); and
- Other Community Needs (e.g., building community capacity and consciousness, increased and improved training of community building leaders, etc.).

▲ Generally Northerners also believe that northern municipal governments and northern communities not only have needs, but that they also have 'rights' or 'entitlements' to the following:
- More land for local communities and municipalities;
- More authority over the management of lands and resources adjacent to communities or municipalities; and
- More financial resources derived from resource development in the North on lands outside municipal boundaries.

III. VISION, GOAL, AND REQUIREMENTS FOR RENEWAL

Vision for Renewal

▲ This report is based on the following vision of municipal governance in the 21st century in Northern Saskatchewan.

"In the 21st century municipal governance will continue to be of fundamental importance for creating and sustaining vital, vibrant, and viable communities and in providing their members with a high quality of service, a high quality of development, and a high quality of life."

Goal for Renewal

▲ The central goal of municipal renewal in Northern Saskatchewan is to address the challenges and problems facing northern municipal governments to ensure that they can deal effectively, efficiently, and equitably with challenges and problems facing northern communities.

▲ In keeping with that goal the objectives of municipal renewal are to consider ways to achieve the following objectives:
- Improve municipal financial capacity;
- Improve municipal governance and management capacity;
- Improve municipal planning and development capacity;
- Improve municipal infrastructure and services capacity; and
- Improve municipal inter-governmental coordination capacity.

▲ It is important to underscore that communities have continuing needs that create crucial consequences for their members both individually and collectively.

▲ Some of the needs of communities in Northern Saskatchewan must be addressed regardless of the extent to which the needs of municipal governments are addressed. Although it is important to meet the needs of municipal governments so that they can better meet the needs of their communities, meeting the needs of communities should not be subordinated to meeting the needs of municipal governments.

▲ Both municipal and provincial governments must continue to weigh the degree of attention and resources that should be devoted to meeting the needs of communities versus meeting the needs of municipal governments. While the two sets of needs are interrelated, they are not one and the same and should not be treated as such.

▲ In summary, the needs of communities and the people that comprise them must be first and foremost, the needs of governments should be second and subordinate.

Requirements for Renewal

▲ There are at least ten major requirements for renewal.

(a) Municipal Renewal Plan

▲ First, a comprehensive and detailed municipal renewal plan is required.

▲ Such a plan should deal with various facets of the renewal process including, but not limited to, the following:
- The major stages for renewal and what is to be achieved at each stage;
- The major parts or elements of the municipal system that will be reviewed and renewed;
- The goals and objectives that will guide the review and renewal of each of those parts or elements of the system;
- The means by which each part or element of the system will be reviewed and renewed; and
- The timeframes for reviewing and renewing each part or element of the system.

▲ For that purpose the municipal and provincial officials should consider establishing a formal municipal renewal process for the Northern municipal sector comparable to the one that has been established for the Rural and Urban municipal sectors by the Roundtable consisting of SARM, SUMA and provincial representatives. Ideally, the discussions on renewal for the Northern Sector should take place in a separate forum and should have sufficient organizational resources devoted to it both from the municipal and provincial governments to ensure that both the review and any renewal is effective.

(b) Renewal Must be a Priority

▲ Second, renewal must become a priority for everyone. At the very least it must become a priority both for provincial and municipal governments. However, renewal also requires active involvement by members of the general public. Their involvement is essential to ensure their needs and preferences influence the directions of renewal. This is not an issue just between provincial and municipal governments. Everyone has a stake.

▲ For renewal to become a priority it requires that everyone understand that municipal governments are important for more than the delivery of a few basic municipal services (roads, water, sewer, etc.). They are also important, in fostering and facilitating development and quality of life in their communities.

(c) Focus on Public Interest

▲ Third, renewal requires that all stakeholders and members of the public focus on the public interest. The public interest must be paramount; organizational, personal, parochial, and partisan interests should not become impediments or obstacles to municipal renewal.

(d) Effective Leadership

▲ Fourth, successful renewal requires effective leadership. Such leadership must come from several places including: municipal elected and appointed officials; provincial elected and appointed officials; members of the 'for-profit' and 'non-profit' sectors; members of unions, and other influential members of local and regional communities. Indeed, it requires leadership on the part of ratepayers and residents in every community in Northern Administration District.

(e) Bold Initiatives and Bold Compromises

▲ Fifth, renewal requires bold initiatives and compromises on the part of all stakeholders. Bold initiatives and bold compromises are absolutely essential to achieve the type of renewal that many want and Saskatchewan's local, regional, and provincial communities and economies need.

(f) Understanding the Context of Municipal Governance

▲ Sixth, renewal also requires an understanding that municipal governments operate in an economic, social, and intergovernmental context that is substantially different than when the municipal system was first established. The sizes of the economic and social communities are significantly different today than they have been in the past, and they will likely become increasingly different in the future.

▲ Similarly, the intergovernmental context of today is very different from what existed when the municipal system was first established. The nature of municipal-provincial relations and the roles and responsibilities of municipal, provincial, federal, and Aboriginal governments have changed substantially over time.

▲ An understanding of the economic, social, and intergovernmental contexts leads to a better appreciation regarding the need and the nature of renewal.

(g) Renewal of Provincial and Local Sectors

▲ Seventh, to ensure that renewal in the municipal sector is successful requires renewal in the provincial government sector. This is particularly important for those elements of the provincial government sector that have a direct and significant effect on the municipal sector. This includes those elements that deal with key matters such as economic development, highways, and the environment.

▲ As well, it is necessary to renew the local non-municipal government sector to ensure that there is an optimal structural and functional alignment with the municipal sector.

(h) Appropriate Governmental Policies and Programs

▲ Eighth, to ensure that municipal renewal is successful it is important, indeed imperative, that the policy and program frameworks of the municipal, provincial and federal governments foster and facilitate various types of development.

(i) Appropriate Balance of Local and Regional Governance

▲ Ninth, to ensure that renewal is successful requires an appropriate balance between local and regional municipal governance. Local and regional forms of governance exist now and always will. The challenge will be to find both the appropriate forms and the appropriate balance between the two for different purposes, in different places, at different points in time.

(j) Appropriate Approaches

▲ Tenth, renewal requires appropriate approaches guided by appropriate principles.

▲ The most appropriate approaches should be used to ensure that the goals of municipal renewal are accomplished. Moreover, careful consideration should be given to the nature and degree of consultations, negotiations, and directions that are required on everyone's part to ensure that the requisite municipal renewal is achieved for the benefit of local, regional, and provincial communities and economies.

▲ Any approach used for renewing the municipal system should be guided by five fundamental principles:

(a) Positive & Proactive Leadership

- The process should be led and directed in a positive and proactive manner not only by the municipal and provincial governments, but also by ratepayers and residents.

(b) Transparency

- The process should be highly transparent. It should be designed in a way that everyone understands the nature of the decisions that must be made, the decision- making sites, who the decision-makers are, and ultimately, the nature of the decisions made.

(c) Openness

- The process should be very open. Everyone should have an opportunity to express views either in writing or orally on any proposed renewal.

(d) Advance Notice

- The process should include advance notice of any significant initiative for renewal.

(e) Adequate Consultations

- The process should include adequate consultations on any significant initiative for renewal.

IV. LOCAL MUNICIPAL GOVERNANCE

▲ This section of the report profiles issues, options, and potential directions related to the following facets of the local municipal governance system:

- Municipal Legislation
- Municipal Purpose
- Municipal Functions
- Municipal Authority and Autonomy
- Municipal Status
- Municipal Finances
- Municipal Governance and Management
- Municipal Processes
- Municipal Classification
- Municipal Incorporation

▲ There are two central themes in this part of the report on local municipal governance.

▲ The first central theme is that consideration should be given to reviewing and renewing various facets of all the major elements of the municipal system listed above because they are all important and interrelated.

▲ The second central theme is that reviewing and renewing those elements of the municipal system would do the following:

- It would meet the preferences of leaders and members of northern communities and municipalities;
- It would contribute to improved and more sustainable local municipal governance; and
- It would contribute to meeting the pressing infrastructure, service, and development needs of northern communities of all sizes.

IV. LOCAL MUNICIPAL GOVERNANCE (CONT'D)

Municipal Legislation

▲ **Consideration should be given to whether northern municipalities require a separate core municipal statute or whether they would be served equally well by a common core municipal statute that also applies to other municipalities.**

▲ **Consideration should be given to whether it is still necessary and appropriate to give some Northern municipalities (e.g., La Ronge and Creighton), but not others, the option of using some sections of The Urban Municipalities Act for governance and management purposes.**

▲ **Consideration should be given to consolidating various related municipal legislation and regulations that govern northern municipalities into one related northern municipal statute or set of regulations.**

▲ **Consideration should be given to simplifying and clarifying northern municipal legislation to make it more readable and understandable for residents, ratepayers, elected and appointed municipal officials, businesses and organizations, and other governments through, among other things:**
- **Better wording (e.g., plain language);**
- **Better organization (e.g., index); and**
- **Better formatting (e.g., shorter paragraphs, more spacing).**

▲ The proposed directions regarding legislation for Northern municipalities are intended to encourage municipal and provincial officials to consider the appropriateness and adequacy of existing core and related municipal legislation.

▲ There are many assumptions regarding the adequacy and appropriateness of the existing core and related legislation for Northern municipalities. A particularly important assumption that needs to be explored in some detail is that Northern municipalities need separate and distinct legislation. Key questions to ask include the following:
- 'What aspect of municipal governance in the northern sector is so different from municipal governance in the rural and urban sectors that would warrant a separate and distinct legislation'?
- Would separate core legislation for Northern municipalities serve substantial practical purposes, rather than merely symbolic purposes?

Municipal Purpose

▲ **Consideration should be give to developing a new 'Municipal Purpose Statement' that is relatively clear and precise on two key matters:**
- **The nature and scope of the fundamental purposes of all municipalities; and**
- **The key differences, if any, in the fundamental purposes of various forms or types of municipalities.**

▲ **Consideration should be given to producing a 'Municipal Purpose Statement' that includes provisions and principles regarding the following types of matters:**
- **Providing democratic governance and accountable public management;**
- **Providing the governance, management, planning and development, the delivery of public services within their boundaries that meets the needs and preferences of their respective ratepayers and residents;**
- **Fostering economic, community, social, cultural and environmental development; and**
- **Ensuring good quality of life for members of their communities.**

▲ The clarification of the fundamental purpose of municipal governments is an issue of interest and importance to leaders and members of northern communities. In reflecting on the functions that are actually performed, deemed to be performed, or should be performed by municipal governments, many participants in the Task Force's Northern consultations indicated either explicitly or implicitly that attention should be devoted to the nature and scope of the fundamental purpose of municipal governance.

▲ Many such participants indicated that the fundamental purpose of municipal governments should be quite broad in nature to include the planning, management and delivery of some social and community services, and not limited to administering a limited set of municipal infrastructure and services.

Municipal Functions

▲ **Consideration should be given to undertaking a review of the functions that are currently performed by various northern municipal governments in an effort to ascertain both of the following:**
- **The degree of uniformity or variance in the functions that they actually perform; and**
- **The degree of uniformity or variance in the functions that they should perform.**

▲ A review of the functions that municipalities actually perform and the functions that they should perform is important for two purposes. First, it is important for making decisions regarding the appropriate alignment of functions between municipal governments and other governments and authorities. Second, it is important for considering the nature and scope of renewal to other elements of the municipal system.

▲ Many northern municipal officials who participated in the consultations indicated that they are constrained to perform more than just strictly 'municipal functions' for their ratepayers and residents because municipal offices are viewed and used as information and referral centre for various services provided by various other governments and authorities.

Municipal Authority and Autonomy

▲ **Consideration should be given to reviewing the degree of authority and autonomy that northern municipalities should exercise in performing their functions in the next century.**

▲ **Consideration should be given to the merits of developing legislation for northern municipalities that include the following:**
- **Broader spheres of municipal jurisdiction (e.g., nuisances, public safety issues, etc.);**
- **Broad corporate powers regarding inter-municipal and inter-governmental agreements; and**
- **Natural person powers.**

▲ **Consideration should be given to whether all types of municipalities in Northern Saskatchewan should have the same degree of authority and autonomy.**

▲ Reviewing the degree of authority and autonomy of northern municipalities and the means by which they can be increased or decreased is of interest and importance to northern municipal officials. Their interest in this issue is likely to increase even more if a review and renewal of authority and autonomy is undertaken for rural and urban municipalities.

KEY ISSUE

Municipal Status

KEY DIRECTIONS

▲ **Consideration should be given to the relative merits of various options related to the following facets of municipal status:**
- **The Recognition of Municipal Status**
- **The Nature of Municipal Status**
- **The Instruments of Municipal Status**
- **The Uniformity and Variance of Municipal Status**

KEY RATIONALE

▲ Although during the Task Force's consultations the principal focus of leaders and members of Northern communities was on the authority and autonomy of municipal governments rather than this legal or political status per se, there is some linkage between those issues.

▲ If the issue of municipal status receives considerable attention during any review or renewal initiatives for the rural and urban municipal sectors, it is likely to generate considerable interest within the Northern municipal sector. Such interest will be particularly pronounced among those who are already thinking about the 'levels' and 'orders' of governments that should exist within the Northern Administration District in the future.

▲ Those interested in the issue of the status of municipal governments should read the information contained in the corresponding section of the Task Force's final report on the rural and urban municipal sectors.

Municipal Finances

1. Directions Regarding Financial Framework

▲ **Consideration should be given to reviewing and renewing the current municipal financial framework in Northern Saskatchewan with the intent to produce an appropriate framework that is consonant with the various potential renewal initiatives to other facets of the municipal system in Northern Saskatchewan.**

2. Directions Regarding Municipal Revenue Sources

▲ **Consideration should be given to finding the means of ensuring that all municipal governments have adequate, predictable and secure access to appropriate revenue resources.**

▲ **Consideration should be given to exploring options for providing northern municipal governments access to additional local or own-source revenues.**

▲ **Consideration should be given to the adoption of the following types of principles regarding municipal finances:**

- **Municipal expenditures should be funded primarily from local sources of revenues (i.e., own source revenue) rather than provincial grants and transfers;**
- **Continued reliance on, and greater control of, the property tax base;**
- **Access to alternative sources of municipal taxation revenue;**
- **Greater transparency in revenue-sharing or tax-sharing;**
- **Longer term commitments of provincial funding; and**
- **Enhanced municipal taxation tools and financial management powers.**

3. Directions Regarding NRSTA Revenues

▲ **Consideration should be given to exploring the means for the following:**

- **Increasing adherence to the letter and spirit of provisions in the NRSTA Act and agreements regarding revenues that should be going into the NRSTA;**
- **Increasing transparency in the identification of NRSTA revenues;**
- **Maximizing NRSTA revenues from existing sources; and**
- **Identifying and targeting additional revenue sources for the NRSTA.**

4. Directions Regarding NRSTA Expenditures

▲ **Consideration should be given to reviewing the following facets of NRSTA expenditures:**
- **Increasing or decreasing the percentage of various municipal costs that are eligible for NRSTA funding;**
- **Removing eligibility for certain expenditures and projects;**
- **Removing costs of administration and assessment from the NRSTA; and**
- **Establishing other specific grant and funding formulas such as maximum amounts or per capita amounts.**

▲ **Consideration should be given to establishing one or several 'special programs or projects funds' under the NRSTA that are designated for specific purposes that have been identified by northern municipal and community leaders as important (e.g., the training of elected and appointed municipal officials).**

▲ **Consideration should be given to enhancing the authority of the NRSTA Management Board to make decisions regarding disbursements from any 'special programs or projects funds' established under the NRSTA.**

5. Directions Regarding NRSTA Management Board

[a] Composition:
- **Consideration should be given to the merits of altering the composition of the NRSTA Management Board to include members who are not municipal officials, and who have considerable expertise in fields such as financial management, corporate planning, economic development, and community development.**

[b] Nomination and Appointment of Members:
- **Consideration should be given to having some members of the NRSTA management Board being nominated by the Minister and others being nominated by municipalities while continuing the practice Ministerial appointment for all members of the Board.**

[c] Role of Members:
- **Consideration should be given to expanding the scope of the NRSTA Management Board's role beyond an advisory role to include a more substantial decision-making role for certain types and levels of funding.**

▲ Participants in the Task Force's consultations indicated that municipal finances should be a priority during any review and renewal initiative.

▲ The adequacy of financial resources to perform current and future roles and responsibilities is a major preoccupation for municipal officials.

▲ Finding an adequate and appropriate financial framework is crucial for the future of the municipal governments and the communities they serve.

Municipal Governance and Management

▲ **Consideration should be given to undertaking a review of the adequacy and appropriateness of statutory provisions regarding the roles and responsibilities of elected and appointed municipal officials, municipal councils, and municipal committees.**

▲ **Consideration should be given to incorporating new and expanded provisions in municipal legislation regarding the roles and responsibilities of elected and appointed municipal officials, municipal councils, and municipal committees.**

▲ Such provisions would help to clarify the roles and responsibilities of various elected and appointed municipal officials, individually and collectively.

▲ During the public consultations some participants indicated that statutory provisions regarding the official roles and responsibilities of various municipal officials (individually and collectively) are not always entirely clear. Indications were that such a lack of clarity creates confusion and problems for officials, particularly during transitions after elections when there is a change of elected officials.

Qualifications and Training of Municipal Officials

▲ **Consideration should be given to developing more extensive training programs for elected municipal officials and appointed municipal officials.**

▲ Such training programs are desired by many municipal officials as a means to upgrade their own skills and also to increase the number of Northerners who will be qualified contest and fill elected and appointed municipal positions.

Municipal Elections

▲ **Consideration should be given to undertaking a review of the current system of northern municipal elections with special attention to:**
- **Clarifying the eligibility of candidates for municipal elections;**
- **Concurrent municipal, health and education elections; and**
- **Innovative voting procedures (e.g., electronic voting, etc.).**

▲ Some participants in the Task Force's northern consultations indicated that the electoral system should be reviewed and renewed, with particular emphasis on the matters noted above.

Accountability and Conflict of Interest

▲ **Consideration should be given to reviewing the statutory provisions regarding accountability and conflict of interest for municipal officials.**

▲ During the public consultations some participants noted that statutory provisions regarding accountability and conflict of interest for municipal officials should be reviewed with the intent to clarify them as much as possible.

▲ A review and renewal of the accountability provisions could contribute not only in clearer provisions, but also to a greater awareness of the nature and importance of such provisions within the statutory framework.

Governance and Management Practises

- **Consideration should be given to reviewing and renewing key statutory provisions regarding the fundamental principles of governance and management practices.**
- **Consideration should be given to incorporating fundamental principles regarding governance and management practices in the statutory framework.**
- **Consideration should be given to the ways and means of making elected and appointed municipal officials as well as ratepayers and residents aware of the fundamental principles regarding governance and management practices.**
- The incorporation of fundamental principles regarding governance and management in northern municipal legislation would help ensure elected and appointed municipal officials as well as residents and ratepayers are aware of such principles and understand their importance.

Advisory Mechanisms and Processes

- **Consideration should be given to reviewing and renewing the roles, responsibilities, and resources of the Northern Municipal Services Unit of the Department of Municipal Affairs Culture and Housing located in La Ronge to determine whether any changes are needed to ensure that it can continue to serve northern municipalities and quasi-municipalities effectively in the future.**
- During the Task Force's consultations in Northern Saskatchewan, the issue of the roles, responsibilities, and resources of the Northern Municipal Advisory Services Branch emerged on several occasions.
- Some participants indicated that they would like to see the reliance on the Northern Municipal Services Unit maintained at the current level and others indicated that they would like to see it decreased.
- Moreover, some of those who rely on the support services provided by the Northern Municipal Services Unit indicated that despite the dedication and good work of the current staff, it does not have sufficient resources to fully serve the various communities 'on site'. This is particularly true of the resources needed to serve hamlets and settlements that do not have their own full time administrative staff to deal with management and administrative matters.

Community Planning Mechanisms and Processes

▲ **Consideration should be given to reviewing and renewing the community planning mechanisms and processes devoted to assisting northern municipalities with community planning, with special attention to the roles, responsibilities, and resources of the Community Planning Unit of the Department of Municipal Affairs Culture and Housing located in Prince Albert.**

▲ A review of the community planning mechanisms and processes is important in determining whether they meet the current and future needs of northern municipalities.

▲ Such mechanisms and processes are essential for enhancing effectiveness, efficiency, and equity in community planning.

▲ During the Task Force's consultations some participants expressed their appreciation for the level and quality of support services provided by the Community Planning Unit. However, some also indicated that more resources and alternative regulatory and provincial approval frameworks may be required to avoid costly delays in producing and approving plans for some strategic initiatives or opportunities.

Appeal Mechanisms and Processes

▲ **Consideration should be given to reviewing and renewing various existing appeal mechanisms and processes.**

▲ **Consideration should be given to establishing a Municipal Ombudsman Office.**

▲ Some participants in the consultation processes indicated that a review and renewal of appeal mechanisms is desirable and due. More specifically, they indicated that both the nature and scope of matters that can be appealed by ratepayers and residents and the ease with which they can do so should be examined.

▲ A Municipal Ombudsman could review and make recommendations on matters that ratepayers and residents of northern communities feel that they need someone to determine whether proper procedures have been followed in applying and enforcing various laws, regulations, and policies.

▲ A Municipal Ombudsman could prove particularly useful for ratepayers and residents who feel that the current appeal mechanisms and processes (e.g., Municipal Board and the courts) are either unduly cumbersome or costly. A Municipal Ombudsman could review appeals from ratepayers and residents and thereby minimize the need to refer such matters to either the courts, the Municipal Board, or the Minister of Municipal Affairs. Moreover, the Ombudsman could make recommendations on eliminating problematic regulations, policies or practices that create problems both for municipalities and their residents and ratepayers.

Municipal Processes

▲ **Consideration should be given to reviewing and renewing the processes, and particularly the authority frameworks and the conditions and criteria, for initiating, objecting to, reviewing, and approving official proposals for the incorporation, reversion, dissolution, annexation, and amalgamation of municipalities.**

▲ The current statutory provisions related to the authority for initiating, objecting to, reviewing, and approving official proposals for the incorporation, reversion, dissolution, annexation, and amalgamation may not be sufficiently developed in light of what is required to meet the current and future needs of the Northern municipal sector. The potential problems and the potential directions for renewal to these processes are profiled in greater detail within the Task Force's final report on renewal for the rural and urban municipal sectors.

Municipal Classification

▲ **Consideration should be given to the merits of consolidating the classification system of local municipalities to include only towns and villages.**

▲ **Consideration should be given to the merits of expanding the classification system of quasi-municipalities to include hamlets as well as settlements and recreational sub-divisions.**

▲ **Consideration should be given to the merits of adding regional municipalities to the classification of municipalities and quasi-municipalities.**

▲ The current threefold classification of municipalities (i.e., towns, villages and hamlets) does not seem to serve much of a practical purpose. There are two major reasons for this:

- First, there are no substantial or significant differences between them either in the functions they perform or their capacities. Part of the reason for this is that the existing incorporation criteria is not fully applied and enforced. Consequently there are hamlets that according to the incorporation criteria could be villages, and villages that could be towns, and vice-versa.
- Second, the organizational capacity (i.e., financial and human of resources) stemming from the population and assessment base of some hamlets is equal to or greater than that of some villages, and that of some villages is greater than or equal to that of some towns. Similarly, some settlements have an organizational capacity comparable to that of some fully incorporated hamlets. Indeed, some hamlets have more in common with settlements than with towns or villages in terms of their functions, finances, and their governance and management frameworks.

▲ As explained in the next section of this report, the addition of regional municipalities to the classification of municipalities would provide northern communities with an important governance option for addressing the needs of northern communities and municipal governments.

Municipal Incorporation

- **Consideration should be given to establishing incorporation criteria that balances the functions of various types of municipalities with their capacity to perform those functions given their population and assessment bases.**
- **Consideration should be given to establishing incorporation criteria for local municipalities that is contingent on whether local municipalities are part of a Regional Municipality, Regional Authority, or a Regional Municipal Support Services Agency that performs key functions.**
- **Consideration should be given to the merits of setting a lower population base and assessment base for the incorporation of municipal entities that are part of a regional entity, and a higher population base and assessment base for the incorporation of municipal entities that are not part of a regional entity.**
- The creation or incorporation of municipalities should be based on some objective criteria that provide a balance between the functions that municipalities and quasi-municipalities must or may perform and their capacity to do so.
- It is prudent to establish incorporation criteria that increases the probability that municipalities and quasi-municipalities will have the financial capacity to cover at least the operating costs (and ideally also a substantial portion of the capital costs) for serving reasonably sized communities.
- Similarly, it is prudent to have criteria for establishing local municipalities and quasi-municipalities that are contingent on whether there are any types of regional municipalities, authorities or support services agencies. The reason for this is that the existence or absence of such of regional entities will have a substantial bearing on the functions that local municipalities must or may perform and their ability to do so.
- Although the population base is important, the assessment base and particularly the ability to generate revenues from it could be the more significant of the two criteria. In some Northern communities it may not be enough to consider the assessment base, consideration must also be given to how much revenues can be generated from it given the financial pressures experienced by a substantial portion of the members of many Northern communities.

▲ This part of the report profiles key issues, options, and potential directions related to the following facets of regional municipal governance:
- Statutory Framework for Regional Governance;
- Organizational Framework for Regional Governance;
- Financial Framework for Regional Governance; and
- Geographic Framework for Regional Governance.

▲ The section on 'Organizational Framework for Regional Regional Governance consists of subsections devoted to the following topics:
- Regional Governments;
- Regional Authorities;
- Regional Support Services Agencies; and
- Regional Coordinating Committees.

▲ There are several central themes in this part of the report on regional municipal governance.

▲ The first central theme is that 'regional municipal governance' is about more than just 'regional municipal governments'. Instead, it is about governance using various types or governing and organizational entities on a regional basis.

▲ The second central theme is that consideration should be given to the need for and nature of regional municipal governance in Northern Saskatchewan.

▲ The third central theme is that producing an 'enabling' statutory framework for regional governance should be the first step in moving toward regional municipal governance.

▲ The fourth central theme is that in devoting attention to the nature of regional municipal governance in Northern Saskatchewan special attention should be devoted to the following frameworks:
- Statutory Framework for Regional Governance;
- Organizational Framework for Regional Governance;
- Financial Framework for Regional Governance; and
- Geographic Framework for Regional Governance.

▲ Moreover, in establishing an organizational framework for regional governance, special attention should be devoted to the following:
- Regional Governments;
- Regional Authorities;
- Regional Support Services Agencies; and
- Regional Coordinating Committees.

▲ The fifth central theme is that establishing frameworks for regional governance in Northern Saskatchewan could contribute immensely to:
- Meeting the preferences of some leaders and members of northern communities and municipalities;
- Improved and more sustainable local municipal governance; and
- Meeting the pressing infrastructure, service, and development needs of northern communities of all sizes.

Statutory Framework for Regional Governance

▲ **Consideration should be given to the merits of providing an explicit statutory basis for regional municipal governance by including provisions in municipal legislation sanctioning the creation of regional municipal governments and authorities, as well as the processes and mechanisms for doing so, comparable to that of other jurisdictions.**

▲ **Consideration should be given to the merits of using one of the following statutory instruments in providing the statutory basis for regional governance:**
- **A special section of a general municipal act;**
- **A special regional governments and authorities act; or**
- **A special regional government/authority charter for each regional entity.**

▲ **Consideration should be given to the nature of the provisions and principles that should be included in the municipal statutory framework regarding the processes for the incorporation, dissolution, annexation, and amalgamation of regional governments and authorities wherever and whenever it is deemed appropriate or necessary with special attention to the roles and responsibilities of each of the following:**
- **Local municipal electors;**
- **Local municipal councils;**
- **Provincial minister;**
- **Provincial cabinet; and**
- **Provincial legislature.**

▲ **Consideration should be given to the relative merits of the provisions and principles regarding the processes for the incorporation, dissolution, reversion, annexation, and amalgamation of regional governments and authorities contained in the statutes of other jurisdictions as potential models for Northern Saskatchewan.**

▲ **Consideration should be given to including provision and principles in municipal legislation regarding the general forms or types of regional governments or authorities that may be created, including:**
- **One-tier regional governments or authorities;**
- **Two-tier regional governments or authorities; or**
- **Both one-tier and two-tier regional governments or authorities.**

▲ **Consideration should be given to the relative merits of the provisions and principles on the forms or types of regional governments and authorities contained in the municipal statutes of other jurisdictions as potential models for Northern Saskatchewan.**

▲ **Consideration should be given to including provisions and principles in municipal legislation indicating what functions regional municipal governments or authorities may perform including, for example, the following sets of general functions:**

- **Planning and Development Functions**
  - **Land Use Planning and Development**
  - **Transportation Planning and Development**
  - **Economic Development and Planning**
- **Service Delivery Functions**
  - **Water, sewer, waste disposal**
  - **Emergency and Protective Services**
  - **Community Services**
- **Regulatory Functions**
  - **Building and Fire Standards**
  - **Licensing and Bylaw Enforcement**
- **Financial Functions**
  - **Assessment and Taxation**

▲ **Consideration should be given to the relative merits of the provisions and principles regarding the functional frameworks for regional governments and authorities contained in the municipal statutes of other jurisdictions as potential models for Northern Saskatchewan.**

▲ **Consideration should be given to including provisions and principles in municipal legislation regarding the governance and management structures and processes for regional governments and authorities such as:**

- **The size of regional councils and boards;**
- **The composition of regional councils and boards;**
- **The selection of regional councils and boards; and**
- **The management frameworks for regional councils and boards.**

▲ **Consideration should be given to the relative merits of the provisions regarding the governing and management frameworks for regional governments and authorities contained in the municipal statutes of other jurisdictions as potential models for Northern Saskatchewan.**

▲ **Consideration should be given to including provisions and principles in the municipal statutory framework regarding the means by which regional governments or authorities may be financed including, for example, the following general means:**

- **Requisitions from local municipal councils;**
- **Requisitions from other local authorities;**
- **Special taxes and levies;**
- **Provincial-municipal tax sharing arrangements;**
- **Provincial-municipal revenue-sharing; and**
- **Provincial transfers.**

▲ **Consideration should be given to the relative merits of the provisions and principles regarding the financial frameworks for regional governments and authorities contained in the statutes of other jurisdictions as potential models for Northern Saskatchewan.**

- The proposed directions could provide Northern Saskatchewan with a statutory framework for regional governance comparable to that of other provinces that would supplement, rather than supplant, the existing statutory framework for local municipal governance.
- The precise nature of that framework would depend on the decisions made by municipal and provincial officials in consultation with those whom they represent regarding the type of statutory framework that would be appropriate for Saskatchewan.
- Such an enabling statutory framework could provide communities with the means to make important decisions regarding appropriate governance frameworks among neighbouring communities within various regions that could have major consequences for their future.
- Everyone would know the 'processes and parameters' for creating regional governments.

Organizational Framework for Regional Governance

- **Consideration should be given to the appropriate types and combinations of organizational entities that should comprise the organizational framework for regional municipal governance in Northern Saskatchewan.**
- The discussions on the appropriate types and combinations of regional organizational entities generated considerable interest during the Task Force's consultations with leaders and members of Northern communities.
- There was considerable interest in exploring the options for creating, operating, and funding various regional entities, even though some were dubious that agreement could be reached on the appropriate types and combinations of regional organizational entities.

KEY ISSUE

Regional Governments

KEY DIRECTIONS

- **Consideration should be given to establishing any of the following:**
  - **Regional Governments Exclusively for Municipalities;**
  - **Regional Governments Exclusively for Quasi-Municipalities; and**
  - **Regional Governments for Municipalities and Quasi-Municipalities.**
- **Consideration should be given to the merits of establishing one tier versus two tier forms of regional governments.**
- **Consideration should be given to whether the incorporation of regional municipalities should be directed by the following fundamental principles:**
  - **'Regional municipalities should consist of a minimum number of municipalities and quasi-municipalities that collectively have both a minimum population and minimum assessment base within what is deemed to be a distinct geographic or economic region.'**
  - **'Regional governments should be established where there is a clear potential for member communities to benefit substantially from the regionalization of municipal governance, planning and development, or service delivery.'**
- **Consideration should be given to providing regional governments with the appropriate frameworks for elections, decision-making, functions, and finances.**

KEY RATIONALE

- Some leaders and members of northern communities who participated in the consultations indicated that the merits of regional governance, particularly a two-tier form of regional governance, should be considered as a means to meet the needs of northern communities and municipal governments.
- By creating regional municipal governments, local municipalities and quasi-municipalities could produce a governance and management framework with greater capacity, authority, and autonomy to address their respective needs and preferences in the future in areas such as:
  - Governance;
  - Management;
  - Planning and development;
  - Infrastructure;
  - Services; and
  - Intergovernmental coordination.
- Establishing some incorporation criteria for regional municipal governments would provide municipalities or quasi-municipalities interested in establishing regional entities with some important parameters in proposing, establishing, and operating them. The absence of such parameters makes it difficult to consider the nature and scope of any regional governance initiative.
- Even if they cannot agree on the precise criteria for the incorporation of regional municipalities, municipal and provincial representatives should consider producing some general guidelines regarding what might be considered logical geographic areas within which regional governments may be established. Such guidelines should prove useful in determining both the initial and eventual composition of any regional municipalities.

Regional Authorities

- **Consideration should be given to establishing single- and multi-function authorities either on a regional or district-wide basis (in addition to governance councils or boards for municipalities and quasi-municipalities that may be established), that would perform important functions needed by various northern communities.**
- Renewal of the municipal system without due consideration to the number and nature of various authorities (i.e., agencies, boards, and commissions) in the North, may not produce optimal results.
- Establishing a better mix of multi-function and single-function authorities than exists today could contribute to improved municipal governance and management in Northern Saskatchewan.
- Although the level of resources for agencies, boards, and commissions is very important for their effectiveness, their organizational configuration is more significant than is sometimes assumed. Appropriate configuration in terms of their nature and number can lead to more effective financing, resource utilization, policies, programs, projects, and any intergovernmental coordination or governmental and non-governmental coordination that is required for achieving these results.
- The current framework of regional and district authorities involving municipal governments in the North operates on an unduly fragmented fashion with limited organizational resources.
- The fragmentation and limited organizational resources are obstacles to a coherent and integrated approach to meeting the needs of Northern communities. The sheer number of such authorities presents several problems:
    - It makes coherent and integrated planning between the various authorities difficult;
    - It makes it difficult to provide the various single function authorities with sufficient organizational resources and capacity to perform their functions effectively;
    - It consumes more resources in terms of coordination costs; and
    - It places considerable pressure on municipalities and their elected and appointed officials to participate in, and serve on, the multitude of single-function authorities.

Regional Support Services Agencies

- **Consideration should be given to establishing one or more Regional Support Services Agency to provide support services to local municipal governments on matters related to the management of human and financial resources, planning and development, and providing municipal infrastructure and services.**
- Some leaders and members of northern communities who participated in the consultations indicated that the merits of creating one or more Regional Support Services Agency should be considered as a means to deal with needs of their communities and local municipal governments.
- The creation of one or more Regional Support Services Agency could prove valuable in providing local municipal governments and local advisory bodies of quasi-municipalities with the assistance they need for performing various functions related to the management of human and financial resources, planning and development, and providing municipal infrastructure and services.
- The creation of such agencies may be particularly useful under two sets of conditions in the absence of:
  - Any regional municipal governments; and
  - Sufficient resources within the various provincial departments to provide the requisite support services for municipal and para-municipal matters.
- The creation of such an agency is particularly important if regional or district municipal governments are not established.

V. REGIONAL MUNICIPAL GOVERNANCE (CONT'D)

KEY ISSUE

Regional Coordinating Committees

KEY DIRECTIONS

- **Consideration should be given to reviewing and renewing the existing framework of Regional Coordinating Committees operating in Northern Saskatchewan with the intent of establishing a more fully integrated and institutionalized framework with the appropriate membership, functional, financial, and geographic bases for them.**

KEY RATIONALE

- During the Task Force's consultations in Northern Saskatchewan community leaders and members indicated that the future of their communities depends on the nature and degree of inter-community, inter-municipal, and intergovernmental coordination and cooperation.
- The current framework of inter-municipal and intergovernmental coordination is relatively fragmented and ad-hoc in nature.
- The proposed directions for establishing and operating intergovernmental coordinating committees should contribute immensely to improving intergovernmental coordination in the North not only within the municipal sector, but also between the municipal sector and the Aboriginal, provincial, and federal governmental sectors.
- In turn, the improved intergovernmental coordination should contribute to improvements in the governance, management, planning and development, infrastructure, and services in the North.

Financial Framework for Regional Governance

▲ **Consideration should be given to the nature and scope of the financial framework for regional governance within the Northern Administration District, with special attention to the special financial framework required for each facet of regional governance.**

▲ Whenever the issue of regional governance emerged during consultations with leaders and members of northern communities, invariably the related issue of the financing of regional governance also emerged.

▲ Delineating the financial basis for regional governance within the Northern Administration District is essential for considering some important and substantial municipal renewal initiatives, particularly regarding the organizational basis of regional governance. The absence of a clear sense of the appropriate and acceptable financial basis for regional municipal governance will likely impede any such governance initiatives.

Geographic Framework for Regional Governance

▲ **Consideration should be given to the appropriate means and criteria for delineating the geographic basis for various facets or elements of municipal governance within the Northern Administration District.**

▲ **Consideration should be given to the appropriate geographic basis for various facets or elements of municipal governance within the Northern Administration District.**

▲ **Consideration should be given to the merits of making boundaries for regional governance in the municipal sector coterminous with those in other sectors (e.g., health, education, economic development, housing, etc.).**

▲ Whenever the issue of regional governance emerged during consultations with leaders and members of northern communities, invariably the related issue of the geographic basis of regional governance also emerged.

▲ Delineating the geographic basis of 'municipal regions' within the Northern Administration District is essential for considering some important and substantial municipal renewal initiatives, particularly regarding the organizational basis of regional governance. The absence of a clear sense of the appropriate and acceptable geographic basis for regional municipal governance will likely impede any such governance initiatives.